University of London

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REPORTS

FROM

COMMISSIONERS, INSPECTORS,

AND OTHERS:

THIRTY VOLUMES.

—*(23. I.)*—

LONDON, CITY OF (LIVERY COMPANIES).

Session
5 *February* —— 14 *August* 1884.

VOL. XXXIX.—PART I.

1884.

REPORTS

FROM

COMMISSIONERS, INSPECTORS,

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THIRTY VOLUMES:—CONTENTS OF THE

TWENTY-THIRD VOLUME.

N.B.—*THE* Figures *at the* beginning of the line, *correspond with the* N° *at the foot of each* Report; *and the* Figures *at the* end of the line, *refer to the* MS. Paging *of the Volumes arranged for The House of Commons.*

LONDON, CITY OF (LIVERY COMPANIES):

[c. 4073.] Report of Her Majesty's Commissioners appointed to inquire into the Livery Companies of the City of London: Vol. I., containing (1.) Reports and Memoranda of the Commissioners; and (2.) The Oral Inquiry - - - - - - - - p. 1

Vol. XXXIX.—Part I.—Sess. 1884.

CITY OF LONDON LIVERY COMPANIES' COMMISSION.

REPORT AND APPENDIX.

VOL. I.,

CONTAINING

(1.) The **REPORTS** and **MEMORANDA** of the **COMMISSIONERS**;
and
(2.) The **ORAL INQUIRY.**

Presented to both Houses of Parliament by Command of Her Majesty.

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1884.

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COMMISSION.

VICTORIA R.

Victoria, by the Grace of God of the United Kingdom of Great Britain and Ireland Queen, Defender of the Faith:

To Our right trusty and right well-beloved Cousin and Councillor, Edward Henry, Earl of Derby; Our right trusty and right entirely beloved Cousin, Francis Charles Hastings, Duke of Bedford; Our right trusty and well-beloved Cousin and Councillor Robert, Viscount Sherbrooke; Our right trusty and well-beloved Councillor, John Duke, Baron Coleridge, Lord Chief Justice of the Common Pleas Division of Our High Court of Justice; Our right trusty and well-beloved Councillor Sir Richard Assheton Cross, Knight Grand Cross of Our Most Honourable Order of the Bath; Our trusty and well-beloved Sir Nathaniel Mayer de Rothschild, Baronet; Our trusty and well-beloved Sir Sydney Hedley Waterlow, Baronet; Our trusty and well-beloved William James Richmond Cotton, Esquire; Our trusty and well-beloved Albert Pell, Esquire; Our trusty and well-beloved Walter Henry James, Esquire; Our trusty and well-beloved Joseph Firth Bottomley Firth, Esquire; and Our trusty and well-beloved Thomas Burt, Esquire, Greeting.

Whereas We have thought it expedient that inquiries should be made into the several matters herein-after mentioned.

Now know ye, that We, reposing great trust and confidence in your zeal, discretion, and ability, have authorised and appointed, and do by these presents authorise and appoint you, the said Edward Henry, Earl of Derby; Francis Charles Hastings, Duke of Bedford; Robert Viscount Sherbrooke; John Duke, Baron Coleridge; Sir Richard Assheton Cross; Sir Nathaniel Mayer de Rothschild; Sir Sydney Hedley Waterlow; William James Richmond Cotton; Albert Pell; Walter Henry James; Joseph Firth Bottomley Firth; and Thomas Burt to be our Commissioners for the purposes of these Presents.

And We do hereby require and command you, or any three or more of you, to inquire into all the Companies to which these Presents apply, and into the circumstances and dates of their foundation, and the objects for which they were founded, and how far those objects are now being carried into effect, and into any Acts of Parliament, charters, trust deeds, decrees of Court, or other documents founding, regulating, or affecting the said Companies, or any of them.

And We do hereby require and command you, or any three or more of you, to inquire into and ascertain the constitution and powers of the governing bodies of the said Companies, and the mode of admission of freemen, livery, and other members of the said Companies, and the number of freemen, livery, or other persons constituting the said Companies, and the gains, privileges, or emoluments to which all or any of such persons are entitled by reason of their being members of such Companies.

And We do hereby require and command you, or any three or more of you, to inquire into and ascertain the officers and servants of such Companies, and the salaries or other emoluments to which such officers and servants are entitled, and the mode of appointment of such officers and servants, and the duties which they perform.

And We do hereby require and command you, or any three or more of you, to inquire into and ascertain the property of, or held in trust for or by, such Companies, both real and personal, and where the same is situate, and of what it is composed, and the capital value of the several descriptions of such property, and the annual income of such property, and the mode in which the property is managed and the income is expended.

And We do hereby require and command you, or any three or more of you, to report to us, under your hand and seal, what you shall find touching or concerning the premises upon such inquiry as aforesaid, and also to consider and report what measures (if any) are, in the judgment of you, or any three or more of you, expedient and necessary for improving or altering the constitution of such Companies, or the appropriation or administration of the property or revenues thereof.

And We do hereby empower you to make separate reports in relation to any matter concerning the premises at such time and in such manner as you, or any three or more of you, may think expedient.

And We do hereby declare that the Companies to which these Presents apply, are all the Companies named in the Second Report of the Commissioners appointed to inquire into Municipal Corporations in England and Wales.

And for the better enabling you to form a sound judgment on the premises, We do hereby authorise and empower you, to call before you, or any three or more of you, all such persons as you may judge most competent by reason of their situation, knowledge and experience, to afford you correct information on the subjects of the inquiry; also to cause all persons to bring and produce before you, or any three or more of you, all and singular records, books, papers, and other documents touching the premises which may be in the custody or under the control of them or any of them; also to inquire of the premises, and every part thereof, by all lawful ways and means whatsoever.

And We will, and command that, this Our Commission shall be in full force and virtue, and that you Our Commissioners, or any three or more of you, may from time to time proceed to the execution thereof, although the same be not continued from time to time by adjournment;

And for your assistance in the due execution of this Our Commission, We do hereby appoint our trusty and well beloved Henry Denny Warr, Esquire, Barrister-at-Law, to be your Secretary, whose services and assistance we require you to use from time to time as occasion may require.

Given at Our Court at Saint James's the Twenty-ninth day of July One thousand eight hundred and eighty, in the Forty-fourth year of Our Reign.

By Her Majesty's Command.

W. V. HARCOURT.

REPORT.

TO THE QUEEN'S MOST EXCELLENT MAJESTY.

May it please Your Majesty,

We, the undersigned Commissioners appointed by Your Majesty to inquire into the Livery Companies of the City of London, humbly present to Your Majesty the following Report.

Delay in the presentation of the report.

We regret that our Report has not been presented to Your Majesty at an earlier date; but the purview of the Commission with which we have been entrusted has proved wide, and we have felt that we should best discharge our duty to Your Majesty by strictly following its terms.

Stages of the Commission.

The following have been the steps which we have taken in order to satisfy the requirements of Your Majesty's Commission.

Circular to the companies. Interrogatories.

Upon receiving Your Majesty's Commission, we directed that a circular should be communicated to the Companies into which we were directed to inquire, drawing the attention of the courts and officers of such Companies to the terms of the Commission, and containing a number of interrogatories addressed to the several heads of the inquiry. This circular was drawn up at a meeting which was convened by our chairman a few days after we had received Your Majesty's commands.

Materials of interrogatories.

The interrogatories were framed (1) partly on the express terms of Your Majesty's Commission which, in some instances, we thought it best to employ word by word: (2) partly on a somewhat similar circular which had been addressed to the Companies by the Municipal Commissioners appointed by Your Majesty's royal predecessor, King William IV., in 1833: (3) partly on the interrogatories which had been addressed to the Universities of Oxford and Cambridge, and to the colleges therein, by the Commission recently appointed by Your Majesty to inquire into the property of these learned bodies. The last-mentioned series of questions we chiefly used for the purpose of conducting the part of the inquiry which relates to the real property held by the Companies. The inquiry as to income and expenditure we extended to the ten years preceding that in which we received Your Majesty's Commission.

Proceedings with reference to Circular.

Of this circular we sent a copy to each of the members of the courts of the Companies, and to each clerk. We then had forms of returns prepared, adapted to the several heads of the circular, and we sent a number of such forms to the hall or clerk's office of each Company. This course seemed necessary, in order to secure, so far as might be possible, uniformity in the returns which were to be received. We named no precise date at which we should expect to receive the returns, because we felt that the preparation of them must involve considerable research, and because we desired so far as might be consistent with the punctual fulfilment of Your Majesty's commands, to consult the convenience of the courts and officers of the corporations into which we were directed by Your Majesty to inquire.

Preliminary Report.

The circular and forms having been sent out, we conceived that the interval which must elapse before the returns could be received, might be usefully employed in ascertaining what information already existed, with reference to the matters mentioned in Your Majesty's Commission, and we directed that a Preliminary Report on this subject should be prepared in the office of the Commission.

Large body of existing information.

This report showed that a large body of information already existed on the subject of the Livery Companies of the City of London, and on the more general subject of the mediæval guilds throughout England and throughout Europe.

Inquiries into Livery Companies.

The Livery Companies of the City of London appeared to have been several times inquired into by the State.

Richard II.

In the reign of Richard II. not long after their incorporation, their affairs were examined by a Royal Commission. The Commission was directed to report upon all the guilds in England, their origin, their ordinances, and their property, and was armed with very ample powers of discovery. The text of the Commission is extant, but till recently all the returns of the guilds were supposed to have been lost. Mr. Toulmin Smith, a distinguished antiquary, while engaged in investigation at the Record Office some years ago, accidentally lighted on some of the returns. They were in a very damaged state, but he has deciphered and translated a number of them.(1) The returns met with have, however, been all those of provincial guilds. No record has as yet been discovered of the results of this early Commission as regards the Livery Companies of the City of London.

Edward VI.

In the first year of the reign of Edward VI. after the passing of the Act which vested all lands held to support chauntries, or obits, or for other superstitious purposes, in the Crown, the Companies of London were called upon to make returns "of any such "establishments existing within their bodies with particulars of the estates left to support "them and of all other property to which the Crown became entitled" under the Act. The returns made by the Companies on this occasion are all extant.

Municipal Commission of 1833.

Sir F. Palgrave.

The "Municipal Commission" was appointed in 1833, "to inquire as to the existing state of Municipal Corporations in England and Wales, and to collect information with respect to the defects in their constitution, to make inquiry also into their jurisdiction and powers, and the administration of justice, and in all other respects, and also into the mode of electing the members and officers of such Corporations, and into the privileges of the freemen and other members thereof and into the nature and management of the income, revenues, and funds of the said Corporations, and into the several jurisdictions within the limits of all corporate towns in England and Wales." The Commission was entrusted to a large number of persons. They prosecuted the inquiry in divisions, and five Commissioners, of whom the late Sir Francis Palgrave was one, inquired into London and Southwark.

The report of these gentlemen, which is believed to have been drawn by Sir Francis Palgrave, is a long and careful one.

Doubt as to legality of queries to Companies.

But many of the Companies made returns.

It is obvious that a City Company is not a city or a borough, and it was not therefore clear that the Companies of London were within the scope of the Municipal Commission. The Commissioners, however, probably felt that as the Livery Companies were historically connected with the municipality of London, it was desirable to inquire into their constitution, and with this view they administered a number of queries to the Companies, and also sat at the Guildhall to receive information. Many of these bodies sent in answers to the queries of the Commissioners. These related not only to the constitution, but also to the corporate property of the Companies and their mode of expending their corporate income. No questions were asked as to the trust property of the Companies, for the reason that that part of the Companies' property was then undergoing an inquiry by a Charity Commission.

Charity Commissions 1818–1837.

The Charity Commissions which were appointed between 1818 and 1837, made a series of elaborate inquiries into the charities administered by the Companies. The results are to be found in scattered notices in the very numerous volumes of the reports of these Charity Commissions, and are thus not very accessible. They are, however, lengthy and have been prepared with great care. At the date when we received your Majesty's Commission, these notices were much the most valuable information which existed in print on the subject of the property of the Livery Companies of the City of London.

Present Charity Commission. Reports of H.M. Inspectors of Charities, 1860–5, continued to the present time, and published as part of this Report.

The present Charity Commission has also inquired into the charities of nearly all the Companies. The reports drawn up by Your Majesty's Inspectors of Charities and particularly by Mr. Thomas Hare, Your Majesty's Senior Inspector of Charities, with respect to these charities are dated from 1860 to 1865. They were continued to the present time at our instance by the Department, and they are published as a part of the Appendix to this report. We have to thank Sir Seymour Fitzgerald, Your Majesty's Chief Commissioner of Charities, and his colleagues, for this act of courtesy, which must have added considerably to the work of the staff of the Charity Commission. We have also to thank the Charity Commissioners for having, as they were good enough to do, placed the MS. reports of Your Majesty's Inspectors of Charities, with the numerous appendices to them, at our disposal shortly after we had received Your

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(1) Original ordinances of more than 100 English guilds. (Early English Text Society.)

Majesty's Commission. These MSS. and appendices were found most useful for the purpose of the report in question.

Lord R. Montagu's Return,1863.

In the year 1868 Lord Robert Montagu moved in the House of Commons for a return of the charities administered by the city Companies. This was promptly supplied by the Charity Commission; but the return is not always accurate and is too condensed to be very useful.

School Board for London, 1876–9.

Between 1876 and 1879 the Educational Endowments Committee of the School Board for London was engaged in an inquiry into the charities administered by the Companies, and shortly after our appointment by Your Majesty we were furnished by the Board with copies of the report of the Committee.

Record Office Charters. Licences in mortmain. Decrees of Court.

In the Record Office, duplicates of many of the charters and licences in mortmain granted to the Companies are preserved. Many judgments of the Courts of Law and decrees of the Courts of Chancery concerning the Companies are also recorded there, and there can be no doubt that the office contains many other documents relating to the Companies.

Hustings Court.

In the Hustings Court of the City, many of the acts of the Courts of Aldermen and Common Council concerning the Companies are enrolled, and many of the wills under which the Companies hold property and many of their other title deeds are to be found in this ancient office.

Guildhall Library.

In the Guildhall library there is a considerable collection of books and pamphlets relating to the Companies.

Herbert on the Companies.

Shortly after the appointment of the Municipal Commission of 1834 the Great Companies employed Mr. Herbert the librarian to the Corporation of London to write an account of their history. Several of the great Companies had given little information to the Commissioners, as they conceived the Commissioners' circular of queries to be *ultra vires*. They were willing, however, to give information to the public voluntarily of themselves without admitting the jurisdiction of the Commission, and for this purpose they placed their archives at Mr. Herbert's disposal. The result was Mr. Herbert's "History of the twelve Great Companies of London," which contains some information as to the trust estate of the Companies, but none as to their corporate estate.

Mr. Riley's publications.

Mr. Riley's "Memorials of the City of London and of London Life," published by order of the Corporation of the City in 1868, and Mr. Riley's lengthy "Munimenta "Gildhallæ Londinensis, Liber Albus, Liber Custumarum, et Liber Horn," published in 1859, under the direction of the Master of the Rolls, contain many allusions to the early history of the Companies, and the same is the case as regards another work by Mr. Riley "Chronicles of Old London."

Remembrancia.

The Corporation of London has published an index to the records known as "Remembrancia" which contains incidents in the history of the Companies.

Pulling. Norton.

Serjeant Pulling's "Laws of London" and Mr. Norton's "Commentaries on the City "of London" are treatises of some authority. (1)

Early English guilds.

The only work of authority in English on the early guilds of England is Mr. Toulmin Smith's collection of the "Original Ordinances of more than 100 English "guilds," published by the early English Text Society. It contains an introduction by the daughter of the editor, Miss Toulmin Smith, who is the author of the article on "Guilds" in the last edition of the Encyclopœdia Britannica, and a preliminary essay on the subject of these corporations by Dr. Brentano of the University of Aschaffenburg. The essay of Dr. Brentano is much relied upon by that very learned historian the Bishop of Chester in the passages of his "Constitutional History of England" which relate to the subject. These passages, some in the "Chronicles" of the same author, a number of allusions in the late Mr. J. R. Green's "History of the English People," and the brilliant description of the Companies with which Mr. Froude's history commences, constitute a summary of the history of the trade guilds of London from their foundation to the period of their decadence as industrial corporations. Mr. Freeman's studies have not been specially directed to the question, except as regards the early "Knighten Guild."

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(1) Since the date of the Commission, the Bishop of Chester has compiled his "Annales Londinenses" and "Annales Paulini;" Mr. Loftie has published a popular "History of London" (1883), based upon the works of Mr. Riley and the Bishop of Chester, but containing also the results of much original research at the Record Office, and in the preparation of which the author had the advantage of assistance from Mr. J. R. Green. The book contains two valuable chapters onthe Companies of London;—Messrs. Besant and Rice have also published a popular "Life of Sir Richard Whittington" [London (Plutarch Series), 1882], based upon the same archælogical treatises, and containing a picturesque description of the state of the Companies at or about the time of their incorporation.

Guilds of Mediæval Europe.

The principal authorities in German on the subject of the guilds of Mediæval Europe are the works of Wilda, and of Gierke (Geschichte des Deutschen Genossenschaftwesens. Berlin, 1868).

German and French authorities.

The French authorities chiefly relate to the guilds of France, all of which (many of them having been bodies of great importance during the Middle Ages) perished during the French Revolution, but of which records have been preserved. These authorities are Raymonard's "Histoire du Droit Municipal en France," published in 1829, Mons. A. Thierry's "Récits des Temps Mérovingiens," published in 1840, Mons. Delpit's "Collection de Documents Inédits," Mons. Gustave Fagnier's "Etudes sur l'Industrie à Paris au 13ème et 14ème siècle," and a valuable paper by a Belgian antiquary Mons. Wauter, entitled "Les Gildes Communales à l'onzième siècle," published in the "Bulletin de l'Académie de Belgique," (2me série, t. xxxvii. p. 874).

The above were the sources of the Preliminary Report which was prepared under our direction. It consisted of an analysis of the information contained in them with reference to each of the bodies into which your Majesty had been pleased to command us to inquire, and of a preface in which such information was summed up with reference to the first four heads of Your Majesty's Commission.

Receipt of returns. Grocers' Company.

The Grocers' Company, the second of the "great" Companies of the City of London in order of civic precedence, had, a few days before Your Majesty's Commission was issued, appointed a committee "to search their records and prepare a report upon the "constitution and income and expenditure of the Company, and the general manage-"ment of the Company's business." The report of this Committee was presented to the court on the 2nd February 1881. We shortly after received this report in such a shape as to be in conformity with the forms which we had sent to the Company. These were the first returns which we received from a great Company, and they were drafted with much ability.

Additional Circular.

From this date we continued to receive returns from the Companies. We did not desire to press them unduly, but, in cases where we considered there had been somewhat unreasonable delay, we sent another circular requesting returns from the courts at their earliest convenience.

In the result, by the commencement of 1882, we had received returns from nearly all the Companies. They were as a rule prepared with care, and, as it appeared to us, with candour. Many were admirably drafted. This observation applies not only to the returns received from the great Companies—all of which have made returns; but to those received from many of the minor Companies. The result has been to lessen to a material extent the difficulty of analyzing the contents.

Companies which have not made returns, or whose returns are unsatisfactory.

A few of the minor Companies, have, however, either declined to make returns or have made returns which are not satisfactory. These Companies are the Broderers', Dyers', Distillers', Glovers', Tinplate Workers', and Weavers' Companies.

Meetings of the Commission.

We met once towards the end of 1880 and several times in 1881 for the purpose of considering what progress was being made as regards the collection of returns. At the commencement of 1882, finding that most of the Companies had furnished returns, we met to consider what further steps should be taken as to carrying out the inquiry.

Explanation of returns. Oral Evidence.

At this meeting (1.) we gave orders that the attention of the officers of the Companies should be drawn to any portions of the returns which might require additions or explanations; (2.) we determined to receive oral evidence with respect to the matters mentioned in Your Majesty's Commission.

In pursuance of the orders thus given, some correspondence took place between the Commission and the Companies during the years 1882 and 1883, the results of which appear in the appendices to many of the returns. The oral inquiry thus determined upon we held during the Parliamentary Sessions of 1882 and 1883.

Witnesses, 1882, 1883.

Mr. Hare. Mr. Longley.

During the former Session we examined Mr. Hare, Your Majesty's senior Inspector of Charities, and Mr. Longley, one of Your Majesty's Commissioners of Charities. We received statements from some gentlemen who suggested to us that it was desirable to disestablish and disendow the City Companies of London, or to materially alter their constitution. We also received a deputation which claimed to represent the tenants on the Companies' Irish estates. Three academical bodies, University College, London, King's College, London, and Magee College, Londonderry, and the University Extension Society sent deputations before us to urge their respective

Deputation from Irish estates.

Deputations from University College,

claims to recognition by the Government as candidates for endowment, should we determine to recommend to the Government a redistribution of the revenues of the Companies. We also received a deputation from the School Board of London which came before us to enforce the views expressed in the report of the Educational Endowments Committee mentioned above. We also received a deputation, consisting of the Lord Chancellor, the President of the Royal Society, and Sir F. Bramwell, F.R.S., who came before us to explain the constitution of the City and Guilds of London Technical Institute which has been recently founded.

King's College, Magee College, Londonderry. University Extension Society. School Board of London. 1883.

Deputation from the Companies.

During the latter Session we received a number of deputations from the Companies. We addressed to the Companies an invitation "to appoint a representative or "representatives to give evidence before and confer with" us "with respect to the matters mentioned" in Your Majesty's Commission. In reply the Companies sent before us several gentlemen of great experience in the conduct of their affairs, from whom we received valuable information. We made it a rule that, before receiving a deputation, we should be provided with a printed statement of the points which the deputation proposed to urge, and several of the statements thus laid before us displayed much learning and ability.

Guilds in English provincial towns.

During 1882 and 1883, knowing as we did that the ancient provincial towns of England had at one time contained many guilds, and that some of those institutions survived, we directed an inquiry to be prosecuted, chiefly at the British Museum, with a view to discovering what had taken place with respect to the property corporate and charitable of the provincial guilds which had been dissolved, and what is the position of the surviving provincial guilds as regards their constitution and their property.

Foreign guilds.

During these years also we received, through the courtesy of Earl Granville, Your Majesty's Secretary for Foreign Affairs, reports from many of the British Embassies abroad as to the past history and present position of trade guilds in continental countries.

This information has been to some extent supplemented by communications with which we have been favoured by foreign politicians, political economists, and men of learning who have given the subject their attention.

Abstracts and Tables.

Before we received the deputations from the Companies all the above heads of information had been digested by our orders; the returns of the Companies into abstracts and tables, which are the basis of those which are part of the Appendix to this report, the remaining information in the form of an introduction to such abstracts and tables.

Questions of Law.

Also, before receiving the deputations from the Companies, as we judged it necessary to have accurate information as to the points of law which seemed to affect the bodies into which Your Majesty had directed us to inquire, we ventured to request Mr. Horace Davey, one of Your Majesty's Counsel learned in the law, and Mr. Francis Vaughan Hawkins, two distinguished members of the equity bar, to consider a case, based to some extent upon passages in the papers above mentioned, but more particularly on certain questions which had been put to witnesses by the Lord Chief Justice of England, and these gentlemen with great courtesy wrote some excellent notes for our use.

Having described to Your Majesty the methods which we have adopted in endeavouring to carry out the inquiry which we have been commanded by Your Majesty to institute, we proceed to lay before Your Majesty the results obtained.

PART I.

The first part of Your Majesty's Commission relates to the circumstances of the foundation of the Companies of the City of London, and is as follows:

"*To inquire into all the Companies named in the second report of the Commission appointed to inquire into Municipal Corporations in England and Wales, and into the circumstances and dates of the foundation of such Companies, and the objects for which they were founded, and how far those objects are now being carried into effect, and into any Acts of Parliament, charters, trust deeds, decrees of court, or other documents founding, regulating, or affecting the said Companies or any of them.*"

Number of Companies.

The "Companies named in the Second Report of the Commission appointed to "inquire into Municipal Corporations in England and Wales," are 89 in number, 12 great Companies, 77 minor Companies. Out of these latter (1) 13 proved to have become extinct since the date of the Municipal Commissioners' Report, while 4 (2) proved not to be "Livery Companies," and for this reason were outside the purview of our inquiry.

History of the London Companies.

Roman "Collegia opificum."

The Mediæval Guilds in which the Companies of London had their origin, present a close analogy to the "collegia opificum" which existed under the Roman Empire. These were associations arising out of the urban life of the period, the primary objects of which were common worship and social intercourse, the secondary objects the protection of the trades against unjust taxes, and their internal regulation. They also served as burial clubs, defraying the expenses of burial and funeral sacrifices for deceased members, in some cases out of legacies left for that purpose. (3)

Were the guilds suggested by the "Collegia"?

It has been suggested that Mediæval Europe reverted to and borrowed this part of the industrial organization of the Roman Empire, but the better opinion appears to be that the mediæval guilds were not a relic of Roman civilization but an original institution. (4)

Mr. Hallam's description of the mediæval guilds.

Mr. Hallam describes the guilds as (5) "fraternities by voluntary compact, to relieve " each other in poverty and to protect each other from injury. Two essential " characteristics belonged to them; the common banquet and the common purse. " They had also in many instances a religious, sometimes a secret, ceremonial to knit " more firmly the bond of fidelity . . . . . . They readily became connected " with the exercise of trades, with the training of apprentices, with the traditional " rules of art." A vast number of such fraternities existed throughout Europe during the Middle Ages. Every hamlet had a guild of some kind. In the towns the guilds were very numerous.

Social guilds and craft guilds.

The passage cited suggests a classification of the fraternities which has been adopted by subsequent writers. The guilds have been divided into social or religious guilds, and craft guilds. But the guilds of the former class, those which were not industrial corporations, by no means limited their purposes to mutual relief and protection. They showed much public spirit, and undertook public burdens of every kind. The repairing of roads and bridges, the relief of pilgrims, the maintenance of schools and almshouses, the periodical exhibition of pageants and miracle plays, are a few of the objects which they promoted (¹).

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(1) These were the Companies of Combmakers, Fishermen, Gardeners, Hat-band Makers, Longbow String Makers, Paviours, Pinmakers, Silk Weavers, Silk Throwers, Soapmakers, Starchmakers, Tobacco-pipe Makers, and Woodmongers. The names of some supposed members of these Companies were discovered by reference to the City registers, and communications were sent by us to these persons with a view to discovering the circumstances under which the Companies had been wound up, and what had taken place with respect to the property, if any, remaining at the date of the dissolution. We did not in any case receive an answer to these communications. The Paviours Company proved to have left some papers deposited in the Guildhall Library, and these we caused to be examined. No reference was, however, found in them to the circumstances under which the Company had been dissolved.

(2) These were the Carmen's Company, the Fellowship-Porters, the Parish Clerks' Company, and the Company of Watermen and Lightermen.

(3) There are traces of such institutions under the republic, and even during the regal period, but it was with the growth of towns that they became important. *See* with respect to the "Collegia" Theodor Mommsen "De Sodalitatibus et Collegiis" (British Museum Cat. 7702, c 3.), ch. 2., pp. 27–32, "de collegiis opificum," and ch. 5. pp. 95, 6, "opificum quoque collegia a funerariis non esse aliena." Dr. Mommsen quotes—(1.) Pliny, Epp. x. 42, 43, a letter from Pliny to Trajan, and the Emperor's answer, respecting the establishment of a guild of smiths (fabri) at Nicomedia. (2.) Two inscriptions (Orelli 4107 = 4420, and Orelli 4079), showing the connection of the "collegia opificum" with funeral sacrifices. *See* also Boissier, Histoire Romaine (vol. 2. ch. 3. s. 2.), Wallon, Histoire de l'Esclavage (II. Note 2.; III. Notes 10, 18, 20), Duruy, Hist. Rom. 4. pp. 149, 599. Mr. Reid in his learned notes to Cicero de Senectute says that the resemblance of the "Collegia" to the London Companies in many respects, not excluding that of hospitality, is very striking.

The Ἔρανοι and Θίασοι of the Greeks, which have been compared to the mediæval guilds, were distinctly religious communities, not in any way craft guilds, as is shown by Professor Newton, of the British Museum, from the evidence of inscriptions in his "Essays on Archæology," pp. 170, 171.

(4) Mr. Pearson, in his "History of England during the Middle Ages," says, speaking of some of the English trade guilds, "in spite of the English names under which we know them, it is pretty certain that they only continued the old Roman collegia of the trades." But Mr. Hallam (Middle Ages, I. 349.) speaks of the mediæval guilds as an original institution, and the Bishop of Chester and Mr. E. A. Freeman (from whom we have received a communication) are clearly of this opinion as regards the English guilds. Mr. Freeman says "The trade of London is as old as it well can be. The gap between the Roman and English periods is hidden " by the blackness of darkness which shrouds our settlement in Britain, and which, to those who have eyes, " teaches much more clearly than any light could, what the nature of that settlement really was. Had there been " any continuity between the institutions of the two periods, that blackness of darkness could hardly have been."

(5) Hallam, Middle Ages, I. 349, 50.

Guilds merchant.

(²) Another community differing from these, but which also was of importance during the middle ages was the "guild merchant." It existed in the towns and was, as compared with the craft guilds, an aristocratic body. The better opinion seems to be that originally the "guild merchant" was an association of the owners of the land on which the town was built, and of owners of estates in the neighbourhood. Many of these patrician families carried on business in the towns, and for a considerable time governed them through the guilds merchant. (³) Eventually, however, in every case the aristocratic municipality had to give way, though sometimes not till after a long and fierce struggle, to the general body of the citizens as represented by the more plebeian craft guilds. In London the victory of the popular party had become assured as early as the reign of Edward II.

Guilds merchant and craft guilds the origin of the municipalities.

Mr. Hallam's description.

The guilds merchant and the craft guilds were thus the germ of the municipalities of Europe. Speaking of the English communities from this point of view, Mr. Hallam says: (⁴) "They are frequently mentioned in our Anglo-Saxon documents, and are the "basis of those corporations which the Norman kings recognized or founded. The "guild was, of course, in its primary character, a personal association; it was in the "state, but not the state; it belonged to the city without embracing all the citizens; "its purposes were the good of the fellows alone. But when the good was inseparable "from that of their little country, their walls and churches, the principle of voluntary "association was readily extended; and from the private guild, possessing already "the vital spirit of faithfulness and brotherly love, sprang the sworn community, the "body of citizens bound by a voluntary but perpetual obligation to guard each others' "rights against the thefts of the weak or the tyranny of the powerful."

The municipality of London and the livery companies.

Account given by the Bishop of Chester.

According to the Bishop of Chester, who has given the closest attention to the subject of the origin of the municipal institutions of Europe, it is doubtful whether any primitive merchant guild ever existed in London, and the process by which a popular form of local government became established at the period just mentioned is obscure. There is no doubt, however, that some of the corporations which are the subject of this inquiry (some had existed before the Norman conquest), were, to a great extent, the instruments through which the municipal independence of London was achieved. In the following passage this learned historian describes the nature of the municipality of London and the position of the guilds in relation to the municipality:—"During "the Norman period, London appears to have been a collection of small com-"munities, manors, parishes, churchsokens, and *guilds, held and governed in the usual* "*way:* the manors descending by inheritance; the church jurisdictions exercised "under the bishop, the chapter, and the monasteries; and the *guilds administered by* "*their own officers and administering their own property:*—as holding in chief of the "King, the lords of the franchises, the prelates of the churches, *and even the aldermen* "*of the guilds, where the guilds possessed estates, might bear the title of barons.* It was, "for the most part, an aristocratic constitution, and had its unity, not in the "municipal principle, but in the system of the shire." (⁵)

State of English.

The early returns discovered by Mr. Toulmin Smith present a vivid picture of the state of the social guilds and craft guilds of the provincial towns of England during

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(¹) *See* Dr. Brentano's Essay (Introduction to "Ordinances of English Guilds," pp. lxxxi–xciii.)

(²) Thus the guild of Thanes at Canterbury for a long time exercised great influence. The condition of membership was the possession of real property. In London "the Knightenguild," whose lands form the present Portsoken Ward, early had peculiar privileges. Wilda has conjectured that this body consisted chiefly of merchants on the grounds of (1) the early importance of the trade of London, (2) an ordinance in the "Judicia "Civitatis Londoniæ" of the time of King Athelstan by which every London merchant who had made three voyages on his own account was advanced to the rank of a Thane, (3) the fact of the delegates from London for the election of King Hardicanute in 1036 having consisted of shipowners as the most important burghers. (Dr. Brentano, *ibid.*). The wards of Farringdon are also so called from the name of a family which held part of them by hereditary right. (Hallam, Middle Ages, III., 222.) The Fitzwalter family, the hereditary bannermen of the city, claimed similar rights in the Castle Baynard ward. Riley Liber Custumarum, I., p. lxxvii.

(³) Particularly in the towns of the Low Countries and of Germany. Witness the expulsion of the Walloon weavers from Bruges and Ghent in the reign of Edward III., and the executions of aldermen of craft guilds and of craftsmen in Magdeburg (1301), and Cologne (1371), (Brentano., p. cxi.), and the destruction of the Weavers' Hall in the latter city. See Hallam, Middle Ages, III., 32, and Dr. Brentano's Essay, p. cxi.

(⁴) Hallam, Middle Ages, I., p. 350.

(⁵) See the Bishop of Chester's Constitutional History, I., 405–420, 624, 625; III., 561–566. See also Pulling's Laws and Customs of London, p. 29; 2nd Report Municipal Commissioners, p. 137; Strype's Stow, Lib. 5, c. 5.

provincial guilds in fourteenth century. Returns to inquisition of Richard II. in 1388.

the fourteenth century. They are the answers of the guilds to an inquisition directed by Richard 2nd and his Parliament sitting at Cambridge in 1388. Two writs were ordered to be issued to the sheriff of each county, the first calling upon "the masters "and wardens of all guilds and brotherhoods" (social guilds) to send up to the King's Council all details as to the foundation, statutes, and property of their guilds; the second calling upon the "masters, wardens, and overlookers of all the mysteries and crafts" ([1]craft guilds) to send up in the same way copies of their charters or letters patent. These writs are in Latin. The returns are some in Latin, some in Norman-French, some, a majority, in early English. (1)

Nature of the guilds.

(2) The provincial guilds of England in the reign of Richard 2nd seem to have been associations of neighbours or of members of the same trade which assembled for the purposes of common worship and feasting, and which served—to borrow the language of modern life—as benefit societies and burial clubs. They were also private tribunals for the settlement of disputes, and—the craft guilds—seminaries of technical education.

It has been computed that at this time there were about 40,000 such associations in the provinces of England.

Women members as well as men.

From the mention of sisters in almost all the returns it may be inferred that women were equally eligible with men for membership, and that they attended the masses specially solemnized for the benefit of the associations, and their banquets.

Numbers.

The number of members varied indefinitely from a very few to 15,000. (3)

Oath.

An oath of obedience to the ordinances was administered to each member as he or she joined.

Officers and servants.

The officers and servants consisted of an alderman, several stewards, a clerk, and a dean or beadle.

Meetings.

The members met from once to four times a year, either in the guild hall or guild house, if the guild possessed a hall or house, or at the houses of different members in rotation. They arrived clad in a costume or livery, the colour and pattern of which had been selected by the founders. At the meetings officers were appointed, new brethren were admitted, and relief was voted. It does not appear whether all the members were summoned for the transaction of ordinary business or whether the aldermen or wardens and stewards practically themselves managed the affairs of the guilds. After the business was over there was a common meal.

"Gild-day."

(4) On the "gild-day," *i.e.* generally the day of the saint to whom the guild was dedicated (and nearly all the guilds were so dedicated), the brethren and sisters, arrayed in their livery, and carrying candles, went in procession to church to hear mass performed at an altar, the light before which was maintained by the guild. One of the ordinances of many consisted in a special or "bidding" prayer which was said on this occasion, and in some cases at the commencement of all the meetings of the fraternity. After the conclusion of the mass alms were distributed to the poor by the stewards, and the guild returned in procession to their hall to enjoy the chief banquet of the year.

Funerals and obits.

On a more sombre occasion too the brethren and sisters were seen in their livery, viz., at the funerals of members, and at the performance of masses for the repose of the souls of their dead. The guild provided the customary wax lights and the pall.

Property.

An entrance fee, a fixed annual payment to the common purse, and dues to the aldermen and officers were the contribution made by members to the funds of the guild. In some guilds each member on joining had to undertake to leave the guild a legacy at his decease. Many such legacies were left to the guilds, chiefly of lands, where the guilds had licences in mortmain, as was commonly the case. Usually these legacies were coupled with a condition that an obit should be annually performed for the soul of the testator. The guilds themselves also invested their savings in lands. Many of them by these means became large holders of real property.

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(1) Several guilds which were apparently "guilds merchant" answered the second writ, that addressed to the "craft guilds."

(2) See the abstract made by Miss Toulmin Smith, English Guilds, Introduction ix—xlvii.

(3) Mr. Toulmin Smith has proved this of the guild of Corpus Christi of York by researches at the British Museum. The attraction seems to have been an imposing pageant. The St. George's Guild of Norwich also contained a very large number of members.

(4) On the festival of Corpus Christi it was common for all the guilds of the towns to go in procession to church with their insignia. This mediæval spectacle may still be seen on the day of this feast in Vienna, Munich, Nuremburg, Bilbao, and other places, at the present time.

Expenditure. Internal Expenditure. External expenditure. Relief of poverty. Religion. Education. Highways. Schools. Hospitals. Pageants.

The incomes of all the guilds were up to a certain point expended in much the same way. The maintenance of the hall, the expense of the feasting, the payment of salaries, the relief of poor members, and of the widows and orphans of poor members, the finding of portions for poor maids, and the payments for funerals and obits were the first purposes to which the common funds were applicable. The funds of the craft guilds were secondarily applicable to trade purposes, such as the binding of apprentices, loans to young men starting in business, the purchase of new receipts and inventions, and the prevention of adulteration. Both the social and craft guilds also relieved the poor, supplied the place of highway boards and bridge authorities, maintained churches, endowed schools colleges and hospitals, and exhibited pageants, partly out of legacies partly with the contributions of existing members.

Nature of the ordinances.

The rules of all the bodies were such as to inculcate respect for the law, commercial honesty, and a high standard of conduct, together with kindness and consideration for the brethren and sisters, and for the poor. They also breathe a spirit of very simple piety.

Control by municipalities.

The urban craft guilds were subject to the jurisdiction of the municipal authorities. Their regulations were liable to be declared void if inconsistent with the franchises and liberties of the towns, and the mayors and town councils frequently issued precepts to them with respect to the hours of labour, the methods of manufacture, the education of apprentices, and the mutual relations of the different trades.

Double history (1) municipal (2) industrial and charitable, of the London companies.

The guilds of Norman London mentioned in the italicized parts of the above extract from the work of the Bishop of Chester, were voluntary associations, precisely similar to those provincial guilds which made the returns above analyzed. They have had a double history, (1) a history in connection with the municipality of London, (2) a domestic history, as industrial, mercantile, and charitable corporations.

Introduction of popular government.

1. By the time of Edward II., the government of London had assumed, partly in consequence of the terms of the City's charters, partly as the result of civic revolutions, a popular form, composed of both Anglo-Saxon and Norman elements, and substantially indentical with the present constitution of the municipality. The old manorial jurisdictions had been swept away, a civic court of law had been established, and the servile tenures had been replaced by "free burgage," the urban analogue of the rural free soccage. (1)

Influence of the craft guilds in the movement.

(2) The craft guilds of London, which appear by this time to have absorbed the "Knighten guild" and other similiar bodies, represented the popular party in the contest, and in the result, substituted themselves, though for a short time only, for the wards as the constituent parts of the municipality. The trades had at this time in many cases their recognized quarters in the City, so that the temporary substitution of the bodies which represented them for the wards still left the representation local. This arrangement, however, lasted only till the next reign, when the machinery of the wards, which survive to the present day, was revived, with the differences consequent upon the abolition of all feudal or semi-feudal privileges.

Previous Commissions.

It is, as we conceive, no part of the duty which we owe to your Majesty under the terms of your Majesty's Commission, to dissect the strange and composite constitution of the municipality which was thus founded. That subject has been dealt with by the Municipal Commission which was appointed by your Majesty's Royal predecessor King William IV. in 1834, and by the City of London Commission which was appointed by your Majesty in 1854, and is at present under the consideration of your Majesty's Government.

It is only necessary that we should here state that (1) at the present day, notwithstanding the entire alteration in the constitution of the companies of London, which is herein-after described, and notwithstanding the recommendations of the two abovementioned Commissions, the body called in those reports the "Common Hall," and which is composed of members of the present Livery Companies, continues, jointly with the Court of Aldermen, to elect the Lord Mayor and certain other civic functionaries; and that (2) from the time mentioned, which is five centuries ago, up to the year 1835, membership of a city company continued to be a condition precedent to the full citizenship of the City of London.

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(1) Under this tenure the land was held directly by citizens from the Crown on the single condition of the holders being bound to defend the walls of the place of which they were citizens.

(2) The municipalities of the ancient provincial towns of England, and the municipalities of the continent had, as Mr. Hallam and the Bishop of Chester show, a similar origin.

Domestic history.

Present constitution existed prior to the incorporation of the companies.

2. As regards the domestic history of the companies as industrial mercantile and charitable corporations, the early part is, according to the Bishop of Chester, (1) who has carefully studied all the extant information, as difficult and obscure as the early part of their municipal history. He believes that their present constitution, which is herein-after described as involving three grades of membership, the court or governing body electing itself by co-optation, the livery, and the simple freemen, was a departure from their original constitution, which may have involved a greater measure of equality. The returns, though the archæological portions of several of them are valuable, throw no light on this subject. The probability, however, seems to be, that their present constitution, one obviously of great advantage to the Courts, has existed since considerably before the reign of Edward III., in which, as it is well known, they received their first charters. The distinction between the "twelve great" and the minor companies seems to be of about equal antiquity.

Mayors members of the guilds.

A craftsman, a member of the Mercers' guild, became Mayor in 1214, and before the end of the thirteenth century, the Mayors were always members of the craft guilds, particularly (1) of the Mercers', Grocers,' and Goldsmiths' Companies, which were no doubt from the earliest times full of wealthy merchants and shipowners; and (2) of Companies such as the early Woolstaplers' and Sheermens' guilds which represented the trade in wool and cloth. (2)

They became a municipal committee of trade and manufacture.

About a century after this period, having regard to the fact that the head men of the guilds were generally aldermen of the corporation, and that the corporation exercised, as Mr. Riley's collections show, a minute supervision over the trade and manufactures of London, we regard the companies as having become in effect *a Municipal Committee of trade and manufactures.* (3)

Incorporated in the fourteenth century a State department.

Soon after they had arrived at this position they were incorporated, and thereupon became, in our judgment, while retaining their position under the municipality, an institution in the nature of a *State Department for the superintendence of the trade and manufactures of London.*

In saying this, however, we do not forget the facts that the charters granted frequently recognise (4) a religious character in the guilds, and that among the corporate franchises banquets are in several instances enumerated. Also the terms of several of these instruments refer to the relief of the poor members of the guilds in such way as to show that a main object of the incorporation and of the grant of power to hold land in mortmain was the maintenance of almshouses.

Mercers' charter.

For instance the preamble of the Mercers' charter is as follows: "In considera-
" tion that several men of the mystery of mercery of the City of London (5) often
" by misfortunes of the sea and other unfortunate casualties *have become so impoverished*
" *and destitute* that they have little or nothing in consequence to subsist on unless from
" the alms and assistance of the faithful."

Grocers' charter.

The Grocers' charter grants to the wardens and commonalty of the mystery that they may "acquire lands" in the City and its suburbs "to the value of twenty marks
" per year, to have and hold to them and their successors towards *the support of the*
" *poor men of the said commonalty.*"

Fishmongers' charter.

The Fishmongers' charter similarly contains a grant of power to hold land "*for the*
" *sustentation of the poor men and women of the said commonalty.*"

Goldsmiths' charter.

The Goldsmiths' charter recites that "many persons of that trade by *fire and the smoke*
" *of quicksilver had lost their sight* and that others of them by working in that trade
" *became so crazed and infirm that* they *were disabled to subsist but of relief from others;*
" and that divers of the said city compassionating the condition of such were disposed
" to give and grant divers tenements and rents in the said city to the value of twenty
" pounds per annum to the company of the said craft *towards the maintenance of the said*
" *blind, weak, and infirm.*"

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(1) Stubbs' Constitutional History, III., 560–566.

(2) See Riley's Chronicles of the Mayors and Sheriffs of London.

(3) *See* Memorials of London Life, Edward 2nd, pp. 67, 74, 77, 78, 90, 118–122, 133. Edward 3rd, pp. 153, 154, 204, 216, 217, 226, 237, 239, 241, 245, 247, 250, 253, 270, 277, 292, 300, 306, 317, 318, 321, 323, 328, 330, 331, 341, 348, 354, 364, 372, 391, 393, 400, 402. Richard 2nd, pp. 426, 438, 495, 529, 539, 540, 542, 550. Henry 4th, pp. 567–9. Henry 5th, pp. 609, 653. Liber Albus, Introduction, pp. LXV.–XCIII. Liber Custumarum. Trades of London, pp. LIV.–LXXVII. Chronicles of Old London, pp. 27, 43, 60, 104, 123, 127, 130, 150, 164, 167, 173–5, 211, 240, 250, 251, 253.

(4) As *e.g.*, by clauses for the maintenance of chaplains, altar-lights, and burial services.

(5) Some of the principal members of the Mercers' Company, with which the Merchant Adventurers were connected, were at once merchants and shipowners. Many of the poor freemen were, no doubt, seafaring men.

Occasional absence of benevolent clauses.

Some of the charters do not contain clauses of this benevolent kind; but during this period, a religious or benevolent object may generally be presumed as regards mortmain lands.

Free burgage.

Long before their incorporation, the guilds had held land, the sites of their halls and almshouses and other real property, houses, shops, and warehouses.

Custom of City with respect to devise of "free burgage" lands.

The tenure in time became "free burgage," as herein-before described. An incident of this tenure, and an important one as regards the Companies of the City, was that it supplied the means of going beyond licences in mortmain. By the custom of the City, public bodies could accept lands held by citizens in free burgage and devised to them while so held without any limitation as to amount. The Companies appear to have become large purchasers of lands under the fiction of holding them by devise in free burgage. A Company found the money and had the land purchased and conveyed to trustees in trust to convey it to some one person in trust to devise it to the company by his will. The association then obtained the purchased land under the will of the nominee of their nominees (1).

Legacies.

Legacies for religious and benevolent purposes, some internal, some external, were early bequeathed to the guilds of London. The large trust estate, which is herein-after described, dates from the 14th century. It for some time constituted, in conjunction with the monastic and parochial endowments of the City, an organization of eleemosynary and educational charity, which was of great importance in the absence of a poor law and State education.

Trade control.

The works of the Bishop of Chester, Mr. Green, and Mr. Froude, illustrate the industrial and mercantile history of the Companies down to the Tudor period. By their charters and byelaws, and also by grants from the municipality of London, between the Crown and which there was much jealousy, the Companies obtained (1) monopolies, and (2) powers of search. They assumed to prevent non-members from trading and manufacturing, and they visited shops, manufactories, and houses for the purpose of testing wares, which were required by Act of Parliament, municipal precepts, or their own private regulations, to be of a certain standard or quality. They also enforced a strict system of seven years' apprenticeship.

London, a great manufacturing town, as well as a great port.

London was during all this time a great manufacturing town, in or near which clothworking, the smelting of iron, the making of armour and bows, the working of silk and leather, the manufacture of the precious metals, and other minor industries were practised with much success. It was also the chief port of Northern Europe, and as all the merchants of the staple were members of the guilds, and corresponded with the merchants of the staple in the provincial towns and on the continent, there can be little doubt that the halls of the guilds were practically exchanges. The leading members seem also to have given advice to the Privy Council as to the mercantile policy of the Crown.

The heads of the industrial guilds were the principal capitalists or dealers, those of the mercantile guilds, the principal merchants and shipowners.

Mediæval legislation.

Throughout the period, the State and the Municipality sought to regulate not only the manufactures and commerce of London, but also the wages, habits, and even the dress of the citizens to a degree not always consistent with personal liberty, and this system of statutes and precepts was to a great extent administered through the agency of the Companies. Artizans and tradesmen who made or sold bad articles were tried by the wardens, and if found guilty, were punished by the civic power, or occasionally by distresses levied by the Companies themselves.

As early, however, as the reigns of Edward III. and Richard II., in which the first charters are dated, the mediæval theory of status as the basis of the relations of master and servant and of employer and employed was being gradually undermined as villeinage disappeared, and the reformation began to make progress. From the time

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(1) See the first charter granted to the City of London by King Edward III. Liber Albus, p. 44, A. See also Lord Cottenham's judgment in Attorney-General v. Fishmonger's Company (Preston's Charity). "The " Fishmongers Company, though it had previously existed as a guild or fraternity, was not incorporated until " the year 1433, and their charter contains a licence to hold lands of the value of 20*l.* per annum, notwith- " standing the then Statutes of Mortmain. Before that time the fraternity could only hold lands by procuring " them to be conveyed and held by trustees, and as they were within the statute of the 15 Richard II. cap. 5. " (the 2nd Statute of Mortmain), they could not do this openly, and after that they could in their own " right only hold lands of the annual value of 20*l.* But by the ascertained custom of the City of London " citizens, though they could not convey lands in mortmain, were entitled to devise them in mortmain, and " the Corporations were entitled to accept the lands so devised, whatever might be their value, and from this " a course of proceeding was adopted to enable the City Corporations to hold more lands than their charter " authorised. The Corporations purchasing lands procured them to be conveyed to trustees, and such trustees " conveyed them to some one person who by his will devised them to the Corporation."

Growing unpopularity.

of their incorporation, therefore, the guilds, which had their origin in an earlier conception of society, appear to have excited the hostility of the artizans of London (1) (2). It is also obvious that the constitution of the guilds was only suited to a limited area, to the inspection of factories and shops in one street or one quarter, so that the spread of London beyond its walls and the growth of the great suburbs, particularly those of Westminster and Southwark, must have seriously interfered with their efficiency as superintendents of production. The later charters generally extend the local limits of the trade control, in order to meet this difficulty (3). Moreover the monopolies and the power of search which the guilds derived from the Crown or the Municipality, were of doubtful legality, and therefore liable to be resisted. (4)

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(1) See the Petition of the Master Sheermen, Riley, London Life p. 250, and the incident of the attempt to suppress "conventicles and assemblies of journeymen tailors," ibid p. 250. Mr. Green (History of the English People, I. 432). "In the towns where the system of forced labour was applied with even more rigour than in "the country, strikes and combinations became frequent among the lower craftsmen." "During the reign of "Henry VI., and still more under Edward IV. the trade Companies which had vindicated civic freedom from "the tyranny of the older merchant guilds, tended to become a narrow and exclusive oligarchy." (II. 21.)

(2) The following is a list of the Statutes relating to labour, trade, manufactures, &c., which were passed between the period of the incorporation of the companies, and the commencement of the eighteenth century. Mr. Froude has directed our attention to the importance of the Statute law as a record of the industrial history of the Companies. The opening passage of his work was, he informs us, the result of much investigation of these Statutes.

Statutes of Labourers :—

4 Hen. IV. c. 11., 2 Hen. V. c. 4., 4 Hen. V. c. 4., 6 Hen. VI. c. 3., 8 Hen. VI. c. 8., 23 Hen. VI. c. 12., 11 Hen. VII. c. 2., 7 Hen. VII. c. 7. (regulating the wages of several trades in the City of London), 5 Eliz. c. 4., 43 Eliz. c. 2. (the first Poor Law), 1 James I. c. 6. (repealed in the reign of George III.), 12 Geo. I. c. 34. (against (1) strikes, (2) the truck system.)

Statutes of Apparel :—

3 Edw. IV. c. 5., 22 Edw. IV. c. 1., 1 Hen. VII. c. 14., 13 & 14 Hen. VII. c. 6., 13 Eliz. c. 19.

Statutes relating to the assizes of food and fuel and the privileges of the royal purveyors :—

2 Hen. IV. c. 14. (and other Acts), 4 Hen VII. c. 3., 35 Hen. VIII. c. 7., 7 Edw. VI. c. 7., 43 Eliz. c. 14., 4 Will. & Mary c. 7., 8 Anne c. 8., 1 Geo. I. c. 18., 5 Geo. 1. c. 25.

Statutes relating to the status of alien merchants and to the protection of the manufacturers and tradesmen of London from foreign competition :—

1 Hen. IV. c. 16, 5 Hen. IV. c. 9, 5 Hen. IV. c. 12, 6 Hen. IV. c. 4, 4 Hen. V. c. 5, 8 Hen. V. c. 24, 9 Hen. VI. c. 2, 18 Hen. V. c. 4, 3 Edw. IV. c. 4, 1 Rich. III. c. 12, 19 Hen. VII. c. 23 (Hanse merchants).

Statutes relating to the staple and to the conflict between the jurisdiction of (1) the Crown, (2) the Municipality of London as regarded trade.

7 Hen. IV. c. 9, 2 Hen. V. c. 5, 6, 8 Hen. VI. c. 19 (against the Corporation), 8 Hen. VI. c. 22, 23, 11 Hen. VI. c. 14, 14 Hen. VI. c. 5, 15 Hen. VI. c. 2, 15 Hen. VI. c. 8, 18 Hen. VI. c. 16, 3 Edw. IV. c. 1, 4 Edw. IV. c. 3, 4 Edw. IV. c. 4, 7 & 8 Edw. IV. c. 3, 12 Edw. IV. c. 5, 14 Edw. IV. c. 3, 3 Hen. VII. c. 9 (against the Corporation), 6 Hen. VII. c. 8, 5 Eliz. c. 23, 27 Eliz. c. 15, 12 Chas. II. c. 32, 13 & 14 Chas. II. c. 7, c. 18, c. 19, 20 Chas. II. c. 5, 9 & 10 Will. III. c. 9.

Statutes relating to the regulation and encouragement of (1) the English woollen manufactures, (2) the working of silk, the precious metals, leather, and miscellaneous industries.

(1.) Woollen Manufactures :—

1 Hen. IV. c. 16., 4 Hen. IV. c. 6., 7 Hen. IV. c. 10., 11 Hen. IV. c. 6., 11 Hen. VI. c. 9., 20 Hen. VI. c. 10., 4 Edw. IV. c. 1., 7 & 8 Edw. IV. c. 1., c. 2., c. 3., 17 Edw. IV. c. 5., 4 Hen. VII. c. 8., 11 Hen. VII. c. 11., 12 Hen. VII. c. 1., 1 Hen. VIII. c. 2., 5 Hen. VIII. c. 2., c. 4., 14 & 15 Hen. VIII. c. 1., c. 5., c. 22. (against regrating) c. 25., 27 Hen. VIII. c. 13., c. 14., c. 15., 33 Hen. VIII. c. 3., c. 16., c. 18., 37 Hen. VIII. c. 15. (against regrating, forestalling, and engrossing), 5 & 6 Edw. V. c. 7., 1 Mary 7 & 8., 1 & 2 Phil. & Mary 2, 4, 5, 8 Eliz. c. 6., c. 7., c. 12., 39 Eliz. c. 13., c. 14., c. 20., 43 Eliz. c. 10., 4 Jas. 1. c. 2., 21 Jas. 1. c. 18., 13 & 14 Car. 2. c. 25., 30 Chas. 2. c. 3., ("burying in the woollen"), 5 & 6 Will. 3. c. 9., 7 & 8 Will. 3. c. 28. (importation from Ireland), 2 Anne, c. 18., 7 Anne 13, 10 Anne 16, 6 Geo. 1. c. 13., 7 Geo. 1. c. 7., 10 Geo. 1. c. 18., 12 Geo. 1. c. 3., 4., 13 Geo. 1. c. 23.

(2.) Silk, precious metals, leather, &c. :—

5 Hen. IV. c. 13., 7 Hen. IV. c. 11., 2 Hen. V. c. 4., 8 Hen. V. c. 3., 2 Hen. VI. c. 7. c. 14., 9 Hen VI. c. 12., 33 Hen. VI. c. 4., c. 5., 4 Edw. IV. c. 7. c. 8., 12 Edw. IV. c. 2., 22 Edw. IV. c. 3., c. 5., 1 Rich. 3. c. 10., 4 Hen. VII. c. 2, c. 9., 11 Hen. VII. c. 11., 19 Hen. VII. c. 18. c. 20., 4 Hen. VIII. c. 6., 25 Hen. VIII. c. 9., 32 Hen. VIII. c. 42., 5 Eliz. 8. 9., 8 Eliz. 4., 10 Eliz. c. 9., 18 Eliz. c. 15., 23 Eliz. c. 8., 1 Jas. 1. c. 20., 2 Jas. 1. c. 22., 3 Jas. 1. c. 9., 12 Chas. 2. c. 25., 13 & 14 Chas. 2. c. 15., 15 Chas. 2. c. 15., 20 Chas. 2. c. 6., 1 Will. & Mary c. 33., 2 Will. & Mary c. 9., 9 & 10 Will. 3. c. 9. c. 39., 1 Anne c. 18., 12 Geo. 2. c. 26., 15 Geo. 2. c. 20.

(3) Indeed sometimes it was extended to the whole of England; but the power seems never to have been exercised.

(4) See as to the monopolies (1) Hallam, Constitutional History, account of Parliamentary proceedings, Vol. 1, pp. 356, 359, (2) Davenant v. Hurdis, 11 Coke, 86 a, in which in 1600, the Court decided against the legality of an ordinance of the Merchant Taylors' Company duly made in accordance with its charter, under which any member might be fined by the Company for employing an extern to dress cloth. As to the powers of search (1) Waltham v. Austin (8 Coke, 125 a), in which also in 1600 it was decided that the power to seize badly dyed cloth granted to the Dyers' Company by the charter of Henry VI., was contrary to law, (2) Clothworkers' of Ipswich case, (Godbolt, 254), decided in 1615, and Norris v. Staps, (Hobart 211), decided in 1617.

Time of commencement of decadence.

These causes, probably from the earliest times, seriously crippled the guilds in the capacity of a State Department and Municipal Committee, which we have ventured to attribute to them. By the commencement of the Tudor period, in the opinion of Mr. Froude, as given in the early pages of his history, they had become, to a great extent, an obsolete institution as regards trade superintendence.

Cessation of control over trades.

They continued to receive charters at the beginning of every reign for a long time after this date. Indeed, similar bodies were founded in the provinces as late as the time of Charles II., (1) and the term of apprenticeship sanctioned by the London and provincial guilds, viz., seven years, was adopted in an Act of 1662, which was not repealed till 1814.(2)

Their attendance at Bartholemew and Southwark fairs was in some instances not discontinued till a comparatively recent time, and, besides those statutable chartered or customary functions which are herein-after mentioned, there were some privileges, such as the charge of the City Beam by the Grocers' Company, and the superintendence of Blackwell Hall by the Drapers' Company, which were continued after the guilds had ceased to represent the trade and commerce of London. The date at which they definitely ceased to do so, may be fixed at the Restoration.

Importance of Companies up to commencement of present century.

For a long time, however, after this period, these bodies were an important element in the City. The wealthy bankers, merchants, and shipowners who traded in the City had houses there, and belonged to the Companies. The commencement of the present century is the approximate date of the cessation of the connection of the Companies in this respect with the City.

State and civic burdens.

Some of our number consider it important to state what is undoubtedly the fact, that during the Plantagenet and Tudor periods, and during those of the Rebellion, the Commonwealth and the Restoration, the Companies, probably because they constituted a convenient division of the citizens for purposes of taxation, were forced to contribute large sums to the national exchequer, chiefly for the purpose of defraying the expenses of wars, and that, under a custom of the City which has long been obsolete, they were at one time bound to lend money to the municipality with which to purchase corn and coals for the poor in times of scarcity.

Effects of (1) the Reformation; (2) the Great Fire; (3) the conquest of Ireland.

Three great events have exercised an important influence on the history of the Companies, viz. (1) the Reformation, (2) the fire of London, (3) the conquest of Ireland.

Restoration of confiscated lands.

(1.) In the course of the suppression of the religious houses, many lands held by the Companies to superstitious uses, such as the performance of masses for the dead, and the maintenance of chauntries, were confiscated. The Companies were, however, allowed to redeem the lands, on a representation that they were required for the purposes of the eleemonysary and educational charities of which they were trustees.(3)

Effects of the fire.

(2.) The halls, almshouses, and house property of the Companies suffered severely in the fire. Its effects for a time greatly impoverished them, and large sums were raised by the governing bodies for rebuilding.

Colonization of Ulster.

(3.) At the time of the colonization of Ulster, the Companies were compelled to purchase and undertake the settlement of a large tract of country in the county of Londonderry.

Growth of estate.

The growth of the great estate which is hereinafter described, has been gradual ever since the twelfth century. The Companies have been purchasers of land in the City of London and elsewhere under licences in mortmain, or the custom above referred to and many hundreds of legacies of land, or of money to be converted into land, have been left to them for charitable purposes. Their wealth has probably increased with each century, but the chief increase has no doubt taken place during the present century, and as a consequence of the great recent rise in the value of house property in the City of London.

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(1) Companies for the regulation of the cloth trade in the West Riding and in Norfolk were created by Stat. 13 & 14 Chas. 2 c. 5 c. 14.

(2) Stat. 3 Eliz. 21, repealed by 54 Geo. III. c. 56. Adam Smith, Wealth of Nations, I., X., 2, draws attention to the mischievous effects of compelling apprenticeship for so long a period, and to the absurd results which followed from a line being drawn between the trades which had existed in 1662 and those which were of more modern origin.

(3) See Herbert on the Companies, I. p. 115. "A particular note of such charitable goode uses as are "performed by the companies of London out of suche rents as they purchased of King Edward VI." Return to commissioners appointed by Edward VI. The enumeration is of "poor decaied brethen," "exhibitions to scollers," "poor men and women," and the like. See also the preamble to the private Act of 4 James I., (Kneseworth's case, 2 Beav.), in which the King takes knowledge "of the good and charitable employment of the said lands."

Effects of patrimony.

It is right that we should here state that for many centuries with rare exceptions the Companies have never consisted exclusively of craftsmen. Patrimony, which causes the freedom of a company to descend to all the lawful issue, male and female, of a freeman, has always been a recognized mode of admission. (¹)

Suggestion as to villeinage.

It has been suggested to us that these corporations, by their power of admitting to their "freedom," were one of the causes of the disappearance of villeinage. There is no doubt that the custom of the towns by which freedom was obtained by means of residence for a year and a day within the walls was along with manumission and the growth of the copyhold tenure an instrument of enfranchisement, and that this custom obtained in London; but the Bishop of Chester, whom we have consulted, is of opinion that the influence exercised by the Companies of London was not in this respect considerable.

Provincial and Continental Guilds.

Provincial and continental guilds.

We have now to state the results of our inquiry into (1) the provincial guilds of England, (2) the guilds of continental countries.

Provincial guilds.

(1.) It is certain that of the 40,000 communities which are alleged to have existed in the provincial towns and rural districts of England during the middle ages, only a very few survive. Many were of course monasteries, nunneries or chauntries; these were suppressed, and their lands were confiscated at the Reformation. Many again, though not altogether clerical institutions, for instance, schools or hospitals, were so connected with the dissolved orders or had so much property settled to superstitious uses, that they perished along with the monasteries. (²) But there can be no doubt that a considerable number survived the Reformation.

Effect of confiscation at the Reformation to place provincial towns at a disadvantage compared with London.

The Bishop of Chester, speaking of these provincial bodies and of the action of the Government at the Reformation, says, that "the confiscation of the guild property together "with the hospitals, was one unquestionable cause of the growth of town pauperism. The "extant regulations and the accounts show how this duty was carried into effect; no "doubt there was much self-indulgence and display, but there was also effective relief; "*the charities of the great London companies are a survival of a system which was once in "full working order in every market town.*"

The Bishop of Chester is no doubt right in saying that the loss of the land settled to superstitious uses seriously injured the provincial companies; but it does not appear that all the property of the guilds in these towns was confiscated, (³) and there is evidence that one company at least was allowed to redeem confiscated lands (⁴) in the same way as the City companies redeemed theirs. Their halls also are not likely to have been held to superstitious uses.

Guilds of Bristol, Coventry, Newcastle, Norwich, York.

In the histories of some of the old towns of England, an account, though not a full one, is to be found of their early guilds. We have caused these to be examined in the cases of (1) Bristol, (2) Coventry, (3) Newcastle-on-Tyne, (4) Norwich, (5) York.

In these five towns there existed upwards of 150 guilds, corporations exactly in every way resembling the London Companies, and some of them, such as the Merchants' Company of York, the Merchant Adventurers' Company of Newcastle, the Merchant Adventurers' Company of Bristol, and the guild of St. George of Norwich, bodies of great dignity and opulence. These guilds have all disappeared, except the Merchant Adventurers' Company of Newcastle, the Merchant Adventurers' Company of Bristol, which has, at this day, a large amount of house property at Clifton, and a few insignificant companies containing only a few members.

(¹) This circumstance has produced obvious effects, which appear in the returns of the Companies. Thus—

(*a.*) The Drapers prove that in 1415 their company was not confined to drapers, and that hardly any of the income was spent on trade purposes.

(*b.*) The Skinners' Company cite a list dated 1445, showing that there was then only one skinner by trade a member.

(*c.*) The charter of the Haberdashers' Company, 1448, expressly provides for the admission of persons not belonging to the mystery.

(*d.*) The Merchant Tailors' Company has by the terms of its charters been open to all callings since 1502.

(*e.*) The Goldsmiths assert that "from a very early period" their court has consisted mainly of non-craftsmen.

(*f.*) Of the five persons named as master and wardens in the Clothworkers' charter of 1560, only one proves to have been a clothworker; and this company states that in still earlier times the court is believed to have contained scarcely any clothworkers. *See* Stat. 39 Eliz. 13, which empowers the Clothworkers' Company to appoint deputy searchers from outside their own body.

(²) See as to these the "Ministers' Accounts," the records of the "Augmentation Office," and the Patent Rolls, all at the Record Office.

(³) The Act of 1 Edward VI. c. 14. s. 6, expressly excepts "all other lands of the mysteries and crafts," *i.e.*, those not held to superstitious uses.

(⁴) The guild of Merchant Taylors at Bristol.

There are traces in the local histories (¹) of the existence of many of these bodies up to a period long after the Reformation, indeed, till the middle of the last century, or later, (²) of sales by them of their halls, (³) of transferences of their almshouses, (⁴) and of sales of their estates, particularly houses, (⁵) as the number of members decreased.

Sales of halls and houses and division of proceeds. Cases of Serjeants' Inn and Doctors' Commons.

We assume that the surviving members divided the proceeds of these sales, as, according to the view of the law which is taken by some authorities, they were entitled to do, unless they held the property subject to some trust. A similar course has been taken in London by Serjeants' Inn, Doctors' Commons, and Clement's Inn. So too the few surviving members of one of the ancient guilds of Newcastle recently obtained an order from the Master of the Rolls to divide the remaining property and dissolve the association.

These were cases in which there was no trust estate; but many corporations, which were trustees of charities appear to have dissolved without making provision for the future maintenance of their charities. (⁶)

Dissolution of London guilds.

It seems not improbable that some of the London guilds may have been thus dissolved. We have been informed that at the time of the revival of the Needlemakers' Company, the number of members had become very small, and that, but for the influx of new members, the survivors might have divided the assets. But we have not met with any actual instance of a London Company so dissolving itself.

Continental guilds. France.

(2.) We have obtained information through the Foreign Office and otherwise as to the history of the guilds of France, Belgium, the Netherlands, Switzerland, Germany, Austria, Norway, Sweden, Italy, Spain, Portugal, Russia, and Turkey.

Two learned archæologists, Mons. Pigeonneau, Professor at the Sorbonne, and Mons. Levasseur of the French Institute, have been kind enough to send us interesting communications on the subject of the French guilds. These gentlemen, like the English and German antiquarians, adopt the classification of the mediæval companies into merchant guilds, of which they choose the Parisian company of Mercers as an example, and craft guilds. We learn from them that all such bodies in France were suppressed during the third year of the Revolution, 1791. They had existed from a period prior to the 12th century. They were reorganised by Colbert in 1673, and their suppression was attempted by Turgot prior to the Revolution, during his short ministry in 1776. They were very numerous. At the Revolution, 50 still existed in Paris. They possessed halls, almshouses, and chapels, but not much other real property. Their funds consisted chiefly of accumulations of dues and fines, and during the eighteenth century they had become impoverished. At their suppression, their property was devoted to State purposes, but compensation was in some instances paid to existing members. Patrimony appears to have entered, though to a limited extent, into the composition of the French guilds.

Belgium.

In Belgium the guilds were suppressed, and their property was confiscated, during the French Revolution in 1794. (⁷)

(¹) See Drake's Eboracum; Mr. Riley's Report to Historical MSS. Commission, 1870; Mackerell's History of Norwich; Blomfield's History of Norwich; and other authorities in the Library of the British Museum.

(²) Drake's Eboracum shows that the masters and searchers of some 30 companies were annually sworn before the Mayor of York in 1736.

(³) *E.g.*, the sale of the Baker's Hall at Coventry in 1697 as a preliminary to the dissolution of the Company in 1709. Riley's Report to the Historical Commission, 1870.

(⁴) *E.g.*, the transfer of the "Maison Dieu" of the Cordwainers' of Bristol to a patron, on the dissolution of the Company in 1808.

(⁵) *E.g.*, the guild of Merchant Taylors at Bristol possessed, temp. Elizabeth, 23 tenements and 5 gardens. Some of these were held to superstitious uses, but were restored. In 1824 the Company became extinct by the death of the last member. The estate cannot be traced, and was almost certainly sold.

(⁶) By the Act 26 Geo. 3. c. 58. (the "Gilbert Act") "An Act for procuring upon oath returns of all " Charitable Donations for the benefit of Poor Persons in the several Parishes in England," returns as to charities were called for from the parochial authorities, and examined and reported upon by a Committee of the House of Commons. The Committee in their Report observed that "many of the donations comprised in " the returns appeared to have been lost, and others were in danger of being lost by neglect, and that the " matter seemed to be of such magnitude as to call for the serious and speedy attention of Parliament."

(⁷) Mr. Sandford to Earl Granville, July 11, 1881.—By the execution in Belgium of the French Convention " of Vindémiaire, an IV. The religious and trade guilds then possessed one-fourth of the whole 'propriété " foncière' of Belgium. The property of the 'corporations charitables' was applied to the 'assistance " publique;' that of the other bodies was appropriated by the Government. Mons. Emile de Laveleye, in a " communication addressed to us on the subject, says as follows: 'Les abus auxquelles avaient donné lieu " 'l'existence et l'administration des Corporations ont inspiré cette législation si sévère conforme d'ailleurs à " 'l'esprit individualiste du dix-huitième siècle. Elle est peut-être nécessaire dans les pays Catholiques pour " 'empêcher que le sol tout entier ne passe aux mains des corporations religieuses, mais on ne peut nier " 'qu'elle soit un obstacle à la creation de beaucoup d'œuvres utiles et qu'elle améne ainsi l'extension " 'incessante et indispensable de l'intervention de l'Etat.'"

The Netherlands.

In the Netherlands the trade guilds were suppressed in 1798; their property was vested in commissioners. In 1820 the municipalities were directed to sell the property and hold it in trust for the relief of indigent members of the suppressed corporations and for that of the poor of the communes. (1)

Switzerland.

In Switzerland many of the trade guilds still exist under the names of "abbayes" or "zünfte," and have, especially, it is believed, at Berne, considerable real property. Some have dissolved, either dividing the estate among the survivors, or applying it to public purposes, particularly education. (2)

Germany.

In Germany, under the "Gewerbe-Ordnung" of 1869, an Act depriving the ancient guilds of their privileges, placing them under communal or state control, and rendering them incapable of acquiring land without the consent of the communal authority, the communities began rapidly to disappear. An Act of 1878 reversed the policy of the "Gewerbe-Ordnung," and in 1881 an Act was passed for the encouragement of the guilds. They have now power "to create industrial schools, to make rules for "advancing the technical education of masters and journeymen, to establish a system "of examinations, to create tontine and sick and invalid funds, and to appoint "tribunals of arbitration." (3)

Austria.

In Austria-Hungary the "Innungen" (trade guilds) were abolished, and their monopolies were repealed by a law of 1859. The Act establishes in their stead "Genossenschaften" local bodies, representing the master manufacturers and the journeymen—bodies apparently in the nature of trade councils and tribunals of arbitration, and having in some cases technical schools attached to them. The Act provides for the sale of the halls of the "Innungen" and for the payment of the proceeds, after payment of the debts of the suppressed bodies, to the Genossenschaften. (4)

Norway and Sweden.

In Norway and Sweden the old trade corporations, which are described as having been a serious drawback to the development of the native industries, were dissolved in 1846. (5)

Italy.

In Italy, (6) the ancient guilds, with a few exceptions, were abolished during the present century, before the union of the kingdom. After the union in 1878 and 1879 Acts were passed abolishing all monopolies, but in these Acts provision is made for the regulation of certain trades by the municipalities, and for "institutions of mutual assistance," *i.e.*, benefit societies in connection with such trades. (7)

Spain.

In Spain many of the mediæval craft guilds, "Gremios," still exist. Their rules as to apprenticeship were cancelled in 1836, but they were not dissolved, and still survive as benefit societies and trade councils. They possess halls or houses of meeting, but no other real property. (8)

Portugal.

In Portugal the craft guilds were suppressed in 1834. They appear to have possessed little real property. (9)

Russia and Turkey.

In Russia and Turkey, two backward countries, there are at the present day many institutions resembling the craft guilds of the middle ages. (10)

These foreign guilds more exclusively craft guilds than the London Companies.

In all these countries the guilds seem to have been much more exclusively associations of members of trades than was ever the case with the London Companies.

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(1) Mr. Fenton to Earl Granville, Brussels, July 11, 1881, inclosing a communication from Baron Lynden, the Netherlands Minister for Foreign Affairs, and a pamphlet in Dutch, entitled "Contributions to the History of the funds and other property of the former Trade Guilds." See also letter from Mr. Vandereige, dated 13th July 1883, and letter from Mr. Vispering, dated 22nd June 1882.

(2) Mr. Vivian to Earl Granville, July 11, 1881, enclosing a communication from the Vice-President of the Swiss Confederation.

(3) Sir H. Elliot to Earl Granville, July 17, 1881, inclosing a communication from Dr. Winniwarten, legal adviser to Her Majesty's Embassy at Vienna.

(4) Sir T. Walsham to Earl Granville, July 8, 1883.

(5) Sir H. Rumbold to Earl Granville, 23rd October 1882. See also letter from Dr. Brock, dated 17th July 1883.

(6) In Piedmont in 1844, in Tuscany in 1847, in the Neapolitan Territory in 1821, in Lombardy and at Parma in 1813.

(7) Mr. Macdonald to Earl Granville, September 15, 1881, enclosing a memorandum by Mr. Portal, and copies of the Acts in question. We are indebted to Signor Luigi Bodio, the Director of Statistics at Rome, for a great amount of valuable information on the subject of the guilds of Italy, contributed by the Prefects of Modena, Bologna, Arezzo, Trapani, Siena, Pavia, Cremona, Genoa, Novara, Bergamo, Mantua, Vicenza, Verona, Parma, Ferrara, Alessandria, Ancona, Cureo, Pecce, and Florence. Like the guilds of mediæval France they seem to have possessed little real property. In Genoa, Florence, Milan, and Venice "craft guilds," properly speaking, never existed.

(8) Mr. Macpherson to Earl Granville, August 18, 1881. See also letter from Señor Morel to the Commission, dated 13th July 1883, and letter from Señor de Gayangos to the Commission, dated November 2, 1883.

(9) *See* Letter from the Vicomte de Figanière to the Commission, dated September 10, 1883.

(10) *See* Mr. Wallace's work on Russia, and, as to Turkey, a paper on "Old English Guilds," by Miss Toulmin Smith, published in 1879.

Present condition of the London Companies.

Present condition of London Companies.

Thus while in the provinces of England the craft guilds have almost disappeared, and while many of those on the Continent have been suppressed or reorganized by the State, the guilds of London have continued in existence, and have never been interfered with in any way by the Legislature (except indeed as regards the appointment of the Charity Commission and of the Endowed Schools Commission, to which we hereafter refer). The condition in which, with few exceptions, they have been allowed to continue in existence, apart from the administration of their trusts, has been, at all events for the last two centuries, that of societies, in some instances very richly endowed, the only purposes of which have been entertainments and benevolence.

Legal position of Companies.

It has been suggested to us that the Companies' charters, which seem to contemplate a continuous connection between the guilds and their trades, might be cancelled by process of law, on the ground of the cesser of this connection; but we are advised, and we should be surprised if it were otherwise, that the trade franchises, *i.e.*, the monopolies and powers of search, are separable from the other corporate franchises, and that, although it might be possible for the Crown to seize the former in an action of *Quo Warranto*, the non-user of them at the present time would not be held to avoid the charters altogether, and the incorporation of the Companies as social communities and benefit societies under their more recent charters would be held to continue good.

Statutable and customary present powers of the Companies.

As regards powers conferred by statute upon the Companies or at present exercised by them by virtue of custom or in reliance on the terms of their charters, we humbly report to Your Majesty as follows:

Fishmongers' Company.

1. The Fishmongers' Company, relying on its charters but without authority by any statute, appoints and pays "fish meters" who attend at Billingsgate Market, examine the fish offered for sale there, and condemn any which may be proved to be unsound. The company defrays the expense of deodorizing and removing the fish thus condemned.

The Fishmongers' Company also discharges the duty of prosecuting offenders against the provisions of "The Fisheries (Oyster, Crab, and Lobster) Act," 40 & 41 Vict. c. 42., with respect to the sale of undersized fish or of fish during "close time."

Goldsmiths' Company

2. The Goldsmiths' Company, under the Acts 12 Geo. 2. c. 26. (an Act obtained at the instance of the company themselves) and 7 & 8 Vict. c. 22., are empowered to assay and mark plate, and to prosecute persons who in any part of England sell plate requiring to be marked which is below standard or who forge the company's marks or utter wares bearing counterfeit marks.

Also under the Coinage Act of 1870 provision is made for an annual trial of the pyx, and this trial, in accordance with a practice which has prevailed since the reign of Edward 1st, takes place at the Goldsmiths' Hall.

Vintners' Company.

3. The freemen of the Vintners' Company who have become such by patrimony or by apprenticeship, and the widows of such freemen, enjoy by custom the right of selling foreign wines without a licence throughout England.

The Company of Vintners also, by virtue of an ancient custom, employ a staff of "tackle porters," who unload wines at the London Docks.

Vintners' and Dyers' Companies.

4. The Vintners' and Dyers' Companies are by ancient custom associated with the Crown as joint protectors of the swans of the Thames.

Society of Apothecaries.

5. The Society of Apothecaries have powers under the Apothecaries Act, 1815, and the Apothecaries' Act Amendment Act, 1874, to examine candidates for licences to practise as apothecaries, to confer such licences, and to recover penalties from persons so practising without licence.

The society also maintains extensive chemical and pharmaceutical laboratories in connection with its hall, and keeps up a botanical garden in Chelsea, in respect of which it employs a botanical demonstrator to give instruction in botany.

Founders' Company.

6. The Founders' Company stamp weights under the Acts 5 & 6 Will. IV. c. 63, and 41 & 42 Vict. c. 49, s. 67.

Gunmakers' Company.

7. The Gunmakers' Company has a proof house in London, and has powers under the Gun Barrel Act, 1868 (31 & 32 Vict. c. 113.) for enforcing the proving and marking of guns, pistols, and small arms, and the prosecution of offenders against the Act.

Scriveners' Company.

8. The Scriveners' Company, under the Act 41 Geo. 3. c. 69. s. 13., conducts an examination for admission to the office of a notary, and can prevent any person practising as such who has not passed such examination.

9. The Stationers' Company, which consists exclusively of craftsmen, maintains a register of all publications under the authority of the Copyright Act of 1842. This Company also carries on in its corporate capacity the trade of a publisher, its principal publications being Almanacs.

PART II.

Constitution and Privileges.

The second part of your Majesty's Commission relates to the constitution of the Livery Companies of the City of London, and to the privileges which are enjoyed by those who belong to them. The text is as follows:—" *To inquire into and ascertain the* " *constitution and powers of the governing bodies of the said Companies, and the mode of* " *admission of freemen, livery, and other members of the said Companies, and the number of* " *freemen, livery, and other persons constituting the said Companies, and the gains, privi*-" *leges, or emoluments to which all or any of such persons are entitled by reason of their being* " *members of such Companies.*"

We proceed to describe the (1) constitution of the Companies as individual Corporations, (2) their connection with the municipality of London.

Grades of membership.

1. There appear to have been always three grades of membership, (1) mere membership, the possession of the freedom, which makes a "freeman" or "freewoman," (2) membership of what is called "the livery," (3) a place on the "court" or governing body.

Freedom.

The "freedom" of the London Livery Companies has been from time immemorial obtainable in two ways (1) by apprenticeship, (2) by patrimony.

Apprenticeship.

A system of apprenticeship was an essential element in the guilds from which the Companies sprang. After their incorporation, the term of service, the premium, and the status and duties of apprentices were regulated by byelaws framed by the courts, and submitted by them (1) to the judges, (2) to the municipality. The youths were articled on these terms as apprentices to freemen for a period of seven years, at the expiration of which, upon proof that they had duly served their masters during the seven years, they became entitled to the freedom of the Company.

Two ceremonies were involved in this method of admission, (1) that of binding, (2) that of conferring the freedom at the expiration of the articles. Each took place at the hall of the Company, or, if the Company had not a hall, at the Guildhall, a name which is itself a memorial of the importance of the guilds of London in early times. The father or guardian of the apprentice paid the Company a nominal fee and some small sums to the officers and servants in respect of the binding, and when the apprentice was admitted to the freedom, he also paid a nominal fee to the Company, and some small sums to the officers and servants in respect of his admission.

Patrimony.

Of patrimony we have already spoken. Every son or daughter of a person who has been duly admitted to the freedom has always been entitled by to claim, when of age, his or her admission to the freedom upon proof of (1) his or her legitimacy, (2) the membership of his or her father at the time of his or her birth. The ceremony of admission took place at the hall of the Company, or at the Guildhall, and the novice paid an entrance fee and small charges of about the same amount as in the case of admission by apprenticeship. It was far more usual for sons to follow their fathers' occupations during the middle ages than it is at present; but guilds into which members were admitted by patrimony must always have contained persons of no occupation, or of occupations different to those from which the guilds derived their names.

Apprenticeship to other trades.

Apprenticeship also seems to have been by no means confined to the trades of the guilds. From an early period a practice prevailed of bestowing the freedom on persons who had been bound to any of the members, irrespective of their callings. Such bindings were foreign to the ordinances of most of the guilds, and involved an infringement of the rights of the guilds which represented the trades, if any, of the apprentices. Also from an early period purely colourable bindings were allowed, that is, youths were bound as a matter of form to persons whose trades they did not mean to follow, and who undertook no obligations as regards their protection or education, in order that they might on coming of age be able to claim the freedom of the Companies of their nominal masters.

Redemption.

Honoris causâ.

From a very early period, moreover, the freedom of the Companies has been (1) sold, (2) conferred, like the freedom of the City, as an honour upon personages of distinction. The former method of admission is called admission by redemption, the latter admission *honoris causâ.* The former method does not at present exist in the Grocers' Company, but exists (with a limitation to members of the trade in those few Companies which still have a trade, such as the Apothecaries and the Stationers) in all the other Companies. These, (1) apprenticeship real or colourable, (2) patrimony, (3) redemption, (4) election *honoris causâ*, are the four present modes of admission to a London Livery Company. The court is and has for centuries been the admitting authority.

The entrance fees paid in respect of admission to the freedom by redemption seem to have always varied with the civic and general standing of the different companies. At present the more conspicuous Companies charge considerable sums, in some cases as much as 100*l.*

The livery.

Above the mere freemen and freewomen have always been the members of "the livery," those who wore or as it was technically expressed "had" the "clothing" of the brotherhood or guild. They were either (1) craftsmen, employers of labour, or (2) non-craftsmen, persons of some wealth and position who had joined the company by patrimony or by purchase.(¹)

Visiting jurisdiction of aldermen.

Limitation of numbers of liveries.

From very early times the court of aldermen in the exercise of a sort of visiting jurisdiction claimed the right of authorizing the Companies to wear liveries and admit liverymen. Even at the present day they appear to prescribe the *number* of persons who are to be admitted as liverymen. By an Act of the Court, dated 27th July 1697, it is enacted "that no person shall be allowed to take upon himself the clothing of "any of the 12 Companies unless he have an estate of 1,000*l.*; of the inferior Com- "panies, unless he have an estate of 500*l.*," and the spirit of this property qualification is still observed, for the present members of the liveries are always persons of some means.

"Calls" to the livery.

The court possesses, as a general rule, the sole power of admitting or "calling," as the technical phrase is, to the livery. Fees are payable of larger amount than in the case of admission to the freedom. A distinction is sometimes made between the case of persons who have entered by patrimony or by servitude, and that of persons who have entered by purchase, the latter class being compelled to pay higher for the new privilege. The fees or "fines" payable on promotion to the liveries vary according to the standing of the Companies. In some of the more popular companies, as much as 100*l.* is charged.

Quarterage. (²)

In addition to the fees and fines which have been mentioned, each freeman and liveryman has always paid quarterly to the common purse, a small sum called "quarterage."

Courts or governing bodies.

Master. Wardens. Assistants.

The courts or governing bodies of the Companies consisted originally of the persons, the principal employers or capitalists, whose names occur in the first charters. As vacancies took place by death, these persons elected members of the liveries to fill them. The courts early assumed the form of a master or prime warden, several other wardens, the junior of whom was the renter warden or bursar, and a number of

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(¹) From some early ordinances it appears that the liveries in the Plantagenet times consisted of an undress every day costume, an upper and an under garment called a "coat and surcote," and a full dress uniform for ceremonies and special occasions, when a *cloak* and *hood* were worn over these garments. The "yeomen" *i.e.* the handicraftsmen or labourers who had the freedom were not allowed to wear the livery of the guild. This was only permitted to the "full brothers," the members of the livery; but one garment, the hood, which resembled a monk's cowl, appears to have been allowed to the common freemen as a badge on state occasions. The colours employed in the robes were various, and the patterns were often changed. The gay gowns of the liverymen are frequently mentioned in the accounts of the pageants which took place in London during the Tudor period. The cognizances of the different mysteries (*i.e. ministeria callings*) were embroidered on the cloaks of the full members. The arms of the twelve great Companies are engraved in the work of Mr. Herbert. The mottoes are mostly religious, but occasionally industrial. The emblems all have reference to manufactures or commerce. Thus the branches of the trade in wool or woollen articles are dedicated to the second person of the Trinity as the "Holy Lamb," and to the Virgin the mother, and St. John the Baptist, the forerunner of the "Holy Lamb." The Grocers' arms contain a camel laden with spices; in the Mercers' a ship is prominent; in the Drapers', bales of wool. Several represents shops and sales of wares.

(²) A charge of the same kind and name is made in many of the Colleges of Oxford and Cambridge.

"assistants." (1) At the present day the governing bodies are called "the courts of assistants." A new member on election by co-optation generally took office as warden, often as renter warden, an onerous position. He was promoted from wardenship to wardenship till he became prime warden or master. After having "passed the chair" he became an ordinary assistant for life. At nearly all the steps, a fee or fine was charged. At the present time the system is similar, and most of the assistants have served as wardens and have "passed the chair."

Expense of rising to the mastership after having joined by purchase

Numbers.

The fees payable in respect of the several promotions are now considerable, often amounting to 100*l*. At the present day, a person joining a considerable London Company as a freeman by purchase might, in his progress from the position of a mere freeman to the mastership, have to pay 200*l*., or even upwards of 300*l*. in fees and fines. The numbers of the courts vary from about 12 to between 30 and 40 at the present day.

Privileges of different orders of members.

The "privileges" which the members of the City Companies at present possess, apart from their position as voters on the Municipal Register of London, are as follows:—

Freemen.

(1.) Freemen and freewomen (of whom, however, there are now scarcely any), and the widows and orphans of freemen are entitled in case of poverty and in old age (1) to be received into the almshouses of the Companies which have almshouses; (2) to pensions and casual relief out of the trust funds which have been left to the Companies for that purpose. They are also commonly relieved out of the Companies' general income, *i.e.*, that part of the Companies' income which is in the eye of the law not trust income.

Almshouses.

All the great Companies and several of the small Companies have endowed almshouses. Originally, in many cases, the almshouses adjoined the halls; nearly all were within the City or its liberties. But as the value of building land in the City has rapidly increased during the present century, the Companies have sometimes found it profitable to let the sites of these foundations for the construction of warehouses and offices, and to rebuild the almshouses on less expensive sites in other parts of London or in the country.

Amount of trust and general income thus expended.

The trust funds for the sustentation of these almshouses and the relief of poor members, their widows and orphans are, as we shall see more in detail hereafter,(2) very ample. They are supplemented by a considerable contribution from the general income of the Companies.

Schools.

As a rule, a claim to relief in case of poverty is the only privilege which the possession of the mere freedom of a Company confers. In a single case, that of the Clothworkers' Company, the freemen are invited to an entertainment. In that Company, also, and in two or three others, the freemen are enabled to educate their children on advantageous terms, owing to admissions to Christ's Hospital, which some of the Companies have bought for the purpose, and to the Companies' own schools.

Liverymen.

(2.) The privileges of liverymen as regards charitable relief are similar to those of freemen, but the pensions voted to them and their widows and orphans are larger in amount. They have also generally a legal right to a place at those banquets of the Companies which are chartered franchises, and they are invited by the Courts as a matter of favour to other entertainments, sometimes in the more opulent Companies to two or three banquets in the course of a year. In most of the Companies, when a liveryman petitions successfully for relief from the trust or corporate funds, he has to resign his position on the livery, and has the amount of his livery fine returned to him. The pensions voted to decayed liverymen, their widows, and orphans vary, according to the wealth of the Companies, from 50*l*. to 150*l*. a year. There are, as has been stated, a few Companies, the Ironmongers and Joiners' Companies, and for some purposes the Mercers' Company, in which the livery (and not merely the Master Wardens and Assistants) constitute the Governing Body.

Courts.

(3.) The governing bodies or courts have in their hands the entire control of the Companies' affairs, the appointment of the staffs of salaried officials which the Companies employ, the management of the Companies' corporate property, the admissions to the freedom, livery, and court, the administration of the Companies' charitable trusts, the appointments of the incumbents of the Companies' livings, and of the masters of their schools. They are also the entertainers, and have, as of course, a place at all the Companies' banquets. In the great Companies a member of the livery is seldom elected to the Court till after he has been on the livery for 15 or 20 years; but seniority is not the only criterion of fitness. Regard appears to be paid to social position, business capacity, and interest in the charities of the Companies. Also in some of the Companies a liveryman is at once promoted to the court on his election as an alderman of one of the wards of the City of London.

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(1) "Assistants are to be traced in the councils of 12 of the Saxon guilds, and in the *eschevins* and elders of the Norman era. The first hint of them in the Livery Companies occurs in the records of the Grocers, under the year 1379, when six persons were chosen to aid the wardens in the discharge of their duties." Herbert on the Companies, I., p. 53.

(2) See Part IV. Property and Income.

Pensions to members of courts.

Members of the courts, their widows and orphans, are, like freemen and liverymen, eligible for pensions and charitable relief out of the trust and corporate funds of the Companies in case of poverty. The highest pensions commonly voted to such persons amount to 200*l*. The average amount is from 50*l*. to 100*l*.

Retirement now necessary.

At the time when the Municipal Commissioners reported, in 1837, it was not necessary for a member of the Court to retire on making an application for a pension. This is now necessary, and the same course is followed as in the case of liverymen; the applicants are removed from the Court, and their fees are returned to them. The practice of members of the Courts voting pensions to themselves was animadverted upon by the Municipal Commissioners.

Secrecy.

With rare exceptions, all the proceedings of the Courts are secret. Their accounts are not published, and the liverymen and freemen have not access to the records of their proceedings. (1)

Municipal position.

2. As regards the position of the Companies in relation to the Municipality of London. The substitution of the Companies for the wards as divisions of the Municipality of London lasted only a few years in a very early epoch. The householders in the wards being freemen of the City, are now and have always been, except during this short interval, the electors to the Courts of Aldermen and of Common Council respectively. But, as has been stated, till the year 1835 the freedom of the City could only be obtained through a livery company. In that year the Municipality of London decided to confer it irrespective of the Companies on certain terms through the City Chamberlain. But the freemen of the Companies have still the right to claim as such the freedom of the City, and it is not uncommon for them to pay the City fee to the officers of the Company on joining, for payment over to the Chamberlain. On promotion to the livery, this is still more usual, However, since the year 1835, the freedom of a Company and the freedom of the City have not been convertible terms, and the Municipal Commissioners, reporting to the Government in 1837, state that "the Corporation possesses a very slight, hardly more than a "nominal, control over the Companies."

Common hall.

This "slight" or "nominal" control is incident to the existence of the body called the "Common Hall," which consists of those liverymen of the Companies who are also freemen of the City. (2) This body still proposes to the Court of Aldermen two Aldermen, one of whom the Court elects Lord Mayor, and itself elects the Sheriffs, the Chamberlain, the Bridgemaster, and the auditors of the City and bridge-house accounts. The election of the Lord Mayor takes place on the 29th September, that of the other officers on Midsummer Day.

Parliamentary franchise.

Reform Bill.

Prior to the Reform Bill (2 Will. IV. c. 45.), the liverymen of the Common Hall constituted the Parliamentary constituency of London. Every voter had to be a freeman of the City, and a liveryman of a Company. The Reform Bill preserves the franchises of the liverymen in conjunction with those of the ordinary electors, with the limitation that, in order to vote as a liveryman, it is necessary to have taken up the freedom of the City prior to 1st March 1831, or to have obtained it subsequently by servitude or by patrimony through a person qualified in one of those ways, and also to have been resident within seven miles of the Mansion House for the six months preceding registration.

Minor privileges.

In addition to the vote in Common Hall and the Parliamentary suffrage, those members of the Companies who have become free of the City possess the other rights of citizens. These were formerly much more important than they now are; but even at the present day none except freemen can claim the benefit of the customs of the City of London.

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(1) The Joiners' Company publish their accounts; the livery of the Ironmongers' Company is the governing body.

(2) *See* Pulling, Laws and Customs of London, pp. 83, 84. They are presided over by the Lord Mayor and four aldermen, but these personages have not votes.

Civic burdens.

The part played by the Companies in early times in civic pageants has been alluded to. At the present day, on Lord Mayor's day, the Companies to which the Lord Mayor and the sheriffs belong join in the procession.

Number of Members.

Number. Freemen.

As regards the number of the members of the London Companies. There is great difficulty in forming an estimate of the number of mere freemen. They are often never heard of after they have taken out their freedom. They change their residences and cease to pay quarterage, when their names are erased from the lists. Sometimes years after this has been done, the Companies are reminded of their existence by a claim to charitable relief. It seems not improbable that there may be 10,000 freemen altogether. There are perhaps upwards of 1,000 connected with the Goldsmiths' and Drapers' Companies respectively. The number of those belonging to the other great Companies is much smaller.

Liverymen.

The number of liverymen on the City register for 1882 was 7,319. They were distributed as follows:—

Society of Apothecaries	50
Armourers' Company	64
Bakers' Company	187
Barbers' Company	92
Basket Makers' Company	28
Blacksmiths' Company	63
Bowyers' Company	29
Brewers' Company	49
Broderers' Company	44
Butchers' Company	139
Carmen's Company	5
Carpenters' Company	108
Clockmakers' Company	51
(1)*Clothworkers' Company*	132
Coachmakers' Company	106
Cooks' Company	69
Coopers' Company	139
Cordwainers' Company	100
Curriers' Company	93
Cutlers' Company	89
Distillers' Company	28
(1)*Drapers' Company*	237
Dyers' Company	66
Fanmakers' Company	82
Feltmakers' Company	59
(1)*Fishmongers' Company*	452
Fletchers' Company	16
Founders' Company	98
Framework Knitters' Company	35
Fruiterers' Company	87
Girdlers' Company	69
Glass Sellers' Company	43
Glaziers' Company	39
Glovers' Company	14
Gold and Silver Wyre Drawers' Company	37
(1)*Goldsmiths' Company*	143
(1)*Grocers' Company*	178
Gunmakers' Company	26
(1)*Haberdashers' Company*	373
Horners' Company	7
Innholders' Company	59
(1)*Ironmongers' Company*	46
Joiners' Company	79
Leathersellers' Company	117
Loriners' Company	386
Makers of Playing Cards' Company	50
Masons' Company	29
(1)*Mercers' Company*	97
(1)*Merchant Taylors' Company*	188
Musicians' Company	34
Needlemakers' Company	107
Painters' Company	115
Patten Makers' Company	39
Pewterers' Company	69
Plaisterers' Company	48
Plumbers' Company	40
Poulters' Company	65
Saddlers' Company	84
(1)*Salters' Company*	119
Scriveners' Company	31
Shipwrights' Company	171
(1)*Skinners' Company*	150
Spectaclemakers' Company	356
Stationers' Company	260
Tallowchandlers' Company	101
Tylers' and Bricklayers' Company	73
Tinplate Workers' Company	68
Turners' Company	193
Upholders' Company	33
(1)*Vintners' Company*	193
Waxchandlers' Company	27
Weavers' Company	77
Wheelwrights' Company	92
Woolmens' Company	22

"Great Companies." "The twelve."

Of these Companies, those, the names of which are printed in italics, are the "great companies," the first "twelve," which are arranged in order of civic precedence as follows, viz.:—Mercers, Grocers, Drapers, Fishmongers, Goldsmiths, Skinners, Merchant Taylors, Haberdashers, Salters, Ironmongers, Vintners, Clothworkers.

The more important minor Companies.

Some of the minor Companies, however, as this report shows, are in point of numbers and wealth equal to the less opulent of the great companies. Such are the Armourers, Carpenters, Leathersellers, and Saddlers' Companies.

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(1) Great Companies.

Several of the minor Companies have been resuscitated within the last few years, *e.g.*, the Needlemakers, Basketmakers, Turners, Shipwrights and Fanmakers' Companies.

Large recent increase in numbers of some of the minor Companies.

Two of the largest liveries are those of the Loriners' and Spectaclemakers' Companies, bodies membership of which appears to entail little advantage beyond the Municipal and Parliamentary franchises.

Loriners, Spectaclemakers.

Of these 7,319 liverymen, about 1,500 form the "Courts" of the Companies.

Courts.

Considering the amount of their patronage, the importance of the trusts which they administer, and the large funds which they have in some cases under their absolute control, the constitution of the Courts of the Companies is an important matter.

We have examined the register of the City for 1882, and we find that the liverymen, from whom the members of the Courts are selected, are a body, consisting chiefly of persons following professions, persons engaged in commerce, or persons who have retired from business. A considerable number are men of some eminence. Many members of the House of Commons are liverymen. The City is represented by the aldermen, most of whom belong to several Companies, and the common councilmen. The Courts consist, speaking generally, of liverymen of some 15 years' standing, mostly promoted according to seniority. We have observed too, that admission by patrimony produces a natural effect on the constitution of the liveries and on that of the Courts. Where a family continues prosperous from generation to generation, it acquires a position of considerable importance on the court and livery of a Company. A remarkable instance is that of the Mercers' Company, the Court of which is recruited from a livery of 97, on which certain families are represented by as many as 9 or 10 members.

Effect of patrimony.

PART III.

The third part of Your Majesty's Commission is as follows:—"*To inquire into and* "*ascertain the officers and servants of the Companies, and the salaries or other emoluments* "*to which such officers and servants are entitled, and the mode of appointment of such officers* "*and servants, and the duties which they perform.*"

Officers and Servants.

Into these matters we have inquired, as the returns show. For the purposes however, of this report, we venture to combine this head of Your Majesty's Commission with that which follows.

PART IV.

The fourth part of your Majesty's Commission relates to (1) the amount of the income of the Companies, and the sources from which it arises, (2) the capital value of their property, (3) their management of their property, (4) their expenditure. Its text is as follows: "*To inquire into and ascertain the property of, or held in trust for or by* "*such companies, both real and personal, and where the same is situate, and of what it is* "*composed, and the capital value of the several descriptions of such property, and the annual* "*income of such property, and the mode in which the property is managed and the income is* "*expended.*"

1. As to the amount of the income of the Companies, the interrogatories administered by us to the courts and officers on this subject were of an exhaustive kind, and in the cases (they were not numerous), in which the returns in answer to these interrogatories seemed to us to require explanation, we have not scrupled to put further questions.

Amount and sources of the companies' income.

A few, however, of the minor Companies have declined to make returns (1) or have made returns which are not satisfactory; so that we are not in possession of full information.

Moreover, there is considerable difficulty in estimating the value which should be placed for the purposes of this head of your Majesty's Commission on certain kinds of property which the Companies of London possess, for instance, (1) their halls, almshouses, and schools, (2) their plate and furniture, (3) the livings of which they are patrons. It is obvious that the Companies' property, real and personal, which falls under any of these three heads is not strictly speaking a source of income; yet, for the

Difficulty as to allowance in respect of halls.

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(1) The Broderers', Bowyers', Distillers', Glovers', Tinplate Workers' and Weavers' Companies. We have caused the rate books to be searched for the purpose of discovering whether they possess any real estate.

purposes of this head of your Majesty's Commission, an allowance ought probably to be made in respect of the annual value of this property (1).

Increase in last 10 years.

Again, between 1870 and 1879, the time over which we have extended the inquiry, the yearly income of the Companies has increased by more than 100,000*l.* (2).

Estimate of income.

On the whole we estimate the trust and corporate income of the Companies of London for 1879 (or 1880) (3) as between 750,000*l.* and 800,000*l*, a sum exceeding the income of the two Universities of Oxford and Cambridge and of the colleges therein, at the time when these learned bodies were inquired into by the Commission recently appointed by Your Majesty for that purpose (4).

Capital value.

2. As to the "capital value" of the property of the Companies, into which we are required by Your Majesty to inquire as a branch of this head of the Commission, we laid a case before Your Majesty's Commissioners of Woods and Forests, consisting of the materials for forming an estimate which are contained in the returns of the Companies. Your Majesty's Commissioners referred the matter to gentlemen who are accustomed to act as surveyors to the department. These gentlemen, however, stated, that they could not undertake to furnish an estimate, and that none of any real accuracy could be made without a regular survey, which would require a long time and involve great expense.

Taking the real property owned by the Companies at a number of years' purchase, which we are informed cannot be excessive, and the income of their personal property as representing an ordinary percentage on the capital, we are of opinion that the capital value of the Companies' property cannot be less than 15 millions sterling.

Income, corporate and trust.

The income arising from this property is partly (1) corporate income, *i.e.*, income which is at the absolute disposal of the Companies, that is to say, according to their present constitution at the absolute disposal of the governing bodies or courts of the Companies, (2) trust income, *i.e.*, income which the Companies or their courts are bound to apply in accordance with (1) the wills of founders, (2) Acts of Parliament, (3) the decrees of the Chancery Division of Your Majesty's High Court of Justice, and (4) schemes framed by your Majesty's Commissioners of Charities, and your Majesty's Commissioners of Endowed Schools.

Incomes of the different companies.

The following list shows the income (1) corporate, (2) trust of (1) the great Companies in order of civic precedence, (2) the minor Companies in alphabetical order.

Great Companies.

	Income (for 1879 or 1880.)	Corporate.	Trust.
	£	£	£
Mercers	82,758	47,341	35,417
Grocers	38,236	37,736	500
Drapers	78,654	50,141	28,513
Fishmongers	50,713	46,913	3,800
Goldsmiths	54,297	43,505	10,792
Skinners	28,927	18,977	9,950
Merchant Taylors	43,311	31,243	12,068
Haberdashers	29,032	9,032	20,000
Salters	21,040	18,892	2,148
Ironmongers	21,647	9,625	12,822
Vintners	10,887	9,365	1,522
Clothworkers	50,458	40,458	10,000

Halls, almshouses, schools, plate and furniture, livings.

The rateable value of the halls of these Companies is about 35,000*l.*, that of their schools and almshouses is probably about 15,000*l.* The value of their plate and furniture is approximately, as returned, about 270,000*l.* The annual income of the livings in their gift is about 12,000*l.* a year.

Debts.

Their debts amount to about 180,000*l.* (5)

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(1) See Appendix Table A. (Great Companies), and Table B (Minor Companies), and Incomes of the Companies of London as returned (1) to the Municipal Commission of 1834, (2) to the City Livery Companies Commission of 1880.

(2) Between 1834 (according to the Municipal Commissioners Report) and 1880, the income of the Drapers' Company rose from 23,811*l.* to 78,654*l.*, that of the Fishmongers' Company from 20,908*l.* to 50,713*l.*

(3) Some of the returns state the Companies' incomes for 1880.

(4) See Report of Universities' Commission published in 1876.

(5) A part of this sum is owing by certain Companies to certain other Companies.

Minor Companies.

	Income.	Corporate Income.	Trust Income.
	£	£	£
Apothecaries	3,898	3,398	500
Armourers	8,086	8,026	60
Bakers	1,911	1,591	320
Barbers	1,720	1,120	600
Basketmakers	61	61	None.
Blacksmiths	684	684	None.
Bowyers	590	550	40
Broderers	No return.	—	70 (?)
Brewers	18,640	3,157	15,482
Butchers	2,021	1,389	632
Carpenters	11,318	10,378	940
Clockmakers	—	—	—
Coachmakers	1,179	1,179	None.
Cooks	2,560	2,380	180
Coopers	7,120	2,420	4,700
Cordwainers	7,754	6,154	1,600
Curriers	1,295	1,245	50
Cutlers	5,387	5,337	50
Distillers	No return.	—	—
Dyers	7,000	6,000	1,000
Fanmakers	250	250	None.
Farriers	240	240	None.
Feltmakers	362	172	190
Fletchers	150	150	None.
Founders	1,943	1,853	90
Framework Knitters	310	180	130
Fruiterers	470	467	3
Girdlers	4,306	2,932	1,374
Glass Sellers	190	100	90
Glaziers	300	260	40
Glovers	150	150	None.
Gold and Silver Wyre Drawers	65	62	3
Gunmakers	2,565	2,565	None.
Horners	100	100	None.
Innholders	1,547	1,327	220
Joiners	1,312	1,312	None.
Leathersellers	18,728	16,395	2,333
Loriners	1,267	1,267	None.
Masons	400	400	None.
Musicians	400	400	None.
Needlemakers	250	250	None.
Painters	3,100	800	2,300
Patten Makers	300	286	14
Pewterers	3,850	3,610	240
Plaisterers	900	867	33
Playingcard-makers	50	50	None.
Plumbers	900	882	18
Poulterers	1,050	620	430
Saddlers	11,243	10,243	1,000
Scriveners	856	846	10
Shipwrights	833	833	None.
Spectaclemakers	1,134	1,089	45
Stationers	4,746	3,170	1,576
Tallow Chandlers	No return.		220
Tinplate Workers	No return.		37
Tylers and Bricklayers	834	664	170
Turners	718	718	None.
Upholders	353	333	20

	Income.	Corporate Income.	Trust Income.
	£	£	£
Wax Chandlers	1,005	1,375	230
Weavers	No return.		360
Wheelwrights	319	319	None.
Woolmen	300	300	None.

Halls, almshouses, schools.

The rateable value of the halls of the minor Companies is about 20,000*l.* a year, that of their almshouses, schools, &c. is about 3,000*l.* a year. The value of their plate and furniture is, approximately, as returned, about 50,000*l.* They are not patrons of livings. Their debts amount to upwards of 90,000*l.*

Distribution of income, corporate and trust.

Trust income, small.

It will be noticed that there is great disparity in the amount of the trust incomes of the Companies. In some cases it is a mere nothing. The strongest instances are those of (1) the Grocers' Company, the trust income of which is 500*l.* out of a total income of 38,000*l.*, (2) the Armourers' Company, the trust income of which is 60*l.* out of a total income of 8,000*l.* Other, though less striking, examples are those of (1) the Fishmongers' Company, the trust income of which is 3,800*l.* out of a total income of upwards of 50,000*l.*, (2) the Leathersellers' Company, the trust income of which is 2,300*l.*, out of a total income of nearly 19,000*l.*, (3) the Saddlers' Company, the trust income of which is about 1,000*l.* out of a total income of upwards of 11,000*l.*

Trust income, large.

On the other hand the trust incomes of the two wealthiest Companies, the Mercers' Company and the Drapers' Company, are respectively above one-third and two-fifths of the total income, in the case of the Mercers' Company 35,000*l.* out of 83,000*l.*, in that of the Drapers' Company 28,000*l.* out of 79,000*l.*(1) Also in several cases the trust income greatly exceeds the corporate income. Thus (1) the trust income of the Haberdashers' Company is probably 20,000*l.* out of a total income of 30,000*l.*, (2) the trust income of the Brewers' Company is 16,000*l.* out of a total income of 20,000*l.*, (3) the trust income of the Painterstainers' Company is 3,000*l.* out of a total income of 4,000*l.*, (4) the trust income of the Ironmongers' Company is 12,000*l.* out of a total income of 21,000*l.* (1)

Companies without trust incomes.

The above table also shows that some of the minor Companies are not trustees of charities. These are the Companies of Basketmakers, Blacksmiths, Coachmakers, Fanmakers, Fletchers, Glovers, Gunmakers, Horners, Joiners, Loriners, Masons, Musicians, Needlemakers, Playing Cardmakers, Shipwrights, Turners, Wheelwrights, and Woolmen. The total income of these 18 Companies is, however, only about 8,000*l.* a year, and several of them, particularly the Loriners' and Spectaclemakers Companies, Companies upon the number of whose liveries we have commented, and the recently resuscitated Companies of Turners, Needlemakers, Fanmakers, Shipwrights, &c., have scarcely any income, except such as arises from the fees and fines paid by existing members.

Estimates of (1) total trust, and (2) total corporate incomes of the Companies of London.

On the whole, we think that of the sum of from 750,000*l.* to 800,000*l.* which constitutes the annual income of the Livery Companies of London, (1) about 200,000*l.* a year is trust income, (2) from 550,000*l.* to 600,000*l.* is corporate income. (2)

Annual balances.

We should here state, as regards the materials of this estimate, that in the tables on which it is founded, the balance in hand at the beginning of each financial year is excluded, as not being income. The sum thus excluded is considerable, and we have made an addition to the (3) corporate income of the Companies, which may be supposed approximately to represent the annual interest of such sum.

Situation of the Companies' Estates.

Situation of the Companies' estates.

This part of Your Majesty's Commission refers specifically to the situation of the real property held by the Livery Companies of the City of London.

City of London.

County of Londonderry.

We have already briefly described to Your Majesty the processes by which the Companies became large holders of house property within the City and its liberties, and we have alluded to the facts of the share taken by the Companies in the "colonization" of Ulster, and of their acquisition in consequence of a large tract of land in the county of Londonderry.

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(1) These sums refer only to income strictly speaking. No allowance is made for halls, schools, almshouses, or any other property which does not produce incomes.

(2) In this we include an allowance for the value of the halls and other buildings, and also in respect of the plate and furniture of the Companies and their other property which does not produce income.

(3) Some part of this balance, however, arises from accumulations of trust income.

Metropolitan estate.

We have now to state that the real estate of the Companies is situated partly (1) in the City of London proper, in other districts of London, and in the suburbs of London, (2) in various parts of England, (3) in the county of Londonderry, Ireland.

1. *Metropolitan Estate.*—The Metropolitan estate of the Companies consists (1) of the halls, and such of the almshouses, schools, and other institutions maintained by the Companies as are within the metropolitan area; (2) of some thousands of houses in the City of London proper, many of them in excellent situations, and let as warehouses, banks, counting-houses, salerooms, offices, and shops, and also of some wharves with warehouses attached to them, situated on the banks of the Thames, some on the City side, some on the Surrey side; (3) of house property outside the City of London proper, but within the metropolitan area; viz., in Stratford (1), West Ham (2), Fulham (3), Hackney (4), Hammersmith (5), Lambeth (6), Islington (7), Notting Hill (8), Stoke Newington (9), Stepney (10), Walworth (11), Hoxton (12), Finsbury (13), St. Pancras (14), Southwark (15), and Whitechapel (16).

2. *Estates in English Counties.*—The Companies of London are owners of agricultural land or of house property or of rentcharges in the following English counties:—Bedfordshire (17), Buckinghamshire (18), Berkshire (19), Derbyshire (20), Durham (21), Essex (22), Gloucestershire (23), Herefordshire (24), Hertfordshire (25), Kent (26), Lancashire (27), Lincolnshire (28), Middlesex (29), Monmouth (30), Norfolk (31), Northumberland (32), Northamptonshire (33), Oxfordshire (34), Staffordshire (35), Shropshire (36), Surrey (37), Wiltshire (38), Yorkshire (39), Sussex (40).

Two Companies possess estates in Wales (41), one lands in the Isle of Man (42).

3. *Irish Estate.*—Several of the Companies possess a considerable amount of real property in the county of Londonderry. The estate is the remnant of the lands in Ulster which the Companies of London and the Irish Society were respectively compelled to purchase at the commencement of the seventeenth century. (43)

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(1) Carpenters' Company. (2) Ironmongers' Company, Carpenters' Company, Salters' Company.
(3) Carpenters' Company. (4) Farriers' Company, Clothworkers' Company.
(5) Brewers' Company, Girdlers' Company, Clothworkers' Company.
(6) Butchers' Company. (7) Clothworkers' Company, Mercers' Company, Glaziers' Company.
(8) Barbers' Company. (9) Mason's Company, Barbers' Company.
(10) Coopers' Company. (11) Fishmongers' Company. (12) Haberdashers' Company.
(13) Blacksmiths' Company. (14) Brewers' Company.
(15) Coopers' Company, Cordwainers' Company, Girdlers' Company, Saddlers' Company.
(16) Gunmakers' Company, Tylers' and Bricklayers' Company.

Some of these estates are very large, as, *e.g.*, the Clothworkers' and Brewers' Companies' estates at Islington, the Fishmongers' estate at Walworth, the Haberdashers' estate at Hoxton, the Clothworkers' estate at Hackney.

(17) Drapers' Company, Mercers' Company.
(18) Mercers' Company, Girdlers' Company, Brewers' Company.
(19) Fishmongers' Company, Salters' Company. (20) Goldsmiths' Company. (21) Mercers' Company.
(22) Drapers' Company, Goldsmiths' Company, Haberdashers' Company, Salters' Company, Brewers' Company, Coopers' Company, Feltmakers' Company, Pewterers' Company, Saddlers' Company.
(23) Haberdashers' Company. (24) Grocers' Company.
(25) Drapers' Company, Merchant Taylors' Company, Clothworkers' Company, Brewers' Company, Leathersellers' Company.
(26) Mercers' Company, Drapers' Company, Fishmongers' Company, Skinners' Company, Merchant Taylors' Company, Haberdashers' Company, Vintners' Company, Clothworkers' Company, Coopers' Company, Leathersellers' Company, Saddlers' Company.
(27) Merchant Taylors' Company. (28) Mercers' Company, Drapers' Company.
(29) Goldsmiths' Company, Salters' Company, Brewers' Company, Blacksmiths' Company, Coopers' Company, Cordwainers' Company, Leathersellers' Company, Musicians' Company, Saddlers' Company.
(30) Haberdashers' Company. (31) Drapers' Company, Fishmongers' Company.
(32) Mercers' Company. (33) Grocers' Company. (34) Grocers' Company.
(35) Haberdashers' Company. (36) Haberdashers' Company.
(37) Drapers' Company, Fishmongers' Company, Skinners' Company, Merchant Taylors' Company, Haberdashers' Company, Ironmongers' Company, Clothworkers' Company, Carpenters' Company, Cooks' Company, Coopers' Company, Musicians' Company.
(38) Clothworkers' Company. (39) Drapers' Company, Ironmongers' Company.
(40) Goldsmiths' Company, Merchant Taylors' Company.
(41) Grocers' Company, Drapers' Company. (42) Clothworkers' Company.

(43) All the great Companies and many of the minor Companies received allotments. At present, only six of the great companies have estates in Ulster, viz., the Mercers', Drapers', Fishmongers' Skinners', Salters', and Ironmongers' Companies. The other six great Companies, viz., the Grocers', Goldsmiths', Merchant Taylors', Haberdashers', Vintners', and Clothworkers' Companies have sold their Ulster lands. Some of the minor Companies have also disposed of their shares. The amount of land which remains in the hands of the Companies and the Irish Society is about 150,000 acres, mostly agricultural, and let in small holdings. The estate contains the small towns of Kilrea, Magherafelt, and Dungiven. Till a comparatively recent period, all these lands were let to middlemen, who sublet to the actual occupiers. The Mercers' Company came into possession in 1831, the Drapers' Company in , the Fishmongers' Company about 1820, the Ironmongers' Company in 1840, the Salters' Company in 1853, the Skinners' Company in 1872.

Income arising from (1) *Rents* (2) *Personal Property.*

Rents. Personal property.

We find that the rental of the real property above described is at present above 600,000*l.* a year. A further sum, exceeding 100,000*l.*, is derived from dividends representing investments.

Rents. Prospective increment. City house property.

As regards the former part, it has been suggested that there would be advantage in our attempting a rough estimate of the probable increase, if any, in the Companies' rental within the next quarter of a century. On this point we have consulted your Majesty's Commissioners of Woods and Forests, but the surveyors who are employed by the Department decline to furnish an estimate. We believe that there are experts who consider that the value of City house property—the principal property of the Companies—has reached its culminating point. But on the other hand, a large proportion of the Companies' estates in the City and in the metropolitan area is at present let on long building leases, on the termination of which, there is a certainty of an increased ground rent. We regard this circumstance as conclusive evidence that the value of the Companies' estates is at present rapidly increasing; but we do not forget that the values of their property in Ireland, and also that of their agricultural property in England, are respectively, at any rate, for the moment, at present decreasing. On the whole we think it not unlikely that the value of the estate may rise from 15 millions, its present amount, to 20 millions in the next 25 years. (1)

Personal property.

As regards the latter part (1) about 60,000*l.* a year arises from trust property invested in consols and other securities: (2) some of the small Companies, which do not own land, derive their whole permanent income from savings, accumulations of fees and fines, similarly invested: (3) a part of the sum is derived from the purchase money of houses in the city of London, in some cases corporate, in other cases trust property, which the Companies have been compelled to part with under the provisions of the Lands Clauses Consolidation Act for the purposes of railways, docks, and other public undertakings.

Contributions of existing members.

The contributions of existing members, consisting of quarterages, entrance fees, livery fines, and fines on promotion to the court, or to office, appear to amount to from 15,000*l.* to 20,000*l.* a year. In other words, existing members contribute from $\frac{1}{50}$th to $\frac{1}{37}$th or thereabouts of the total income.

Expenditure (1) *Trust* (2) *Corporate.*

Expenditure. (1) trust, (2) corporate.

Of this income of upwards of 700,000*l.* a year, more than 200,000*l.* a year arises from trust property, and is applied, as we have already stated, by the courts of the Companies in accordance with (1) the wills of founders, (2) Acts of Parliament, (3) decrees of the Chancery Division of Your Majesty's High Court of Justice, (4) schemes framed by Your Majesty's Commissioners of Charities, or Your Majesty's Commissioners of Endowed Schools. (2)

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(1) The Municipal Commissioners' report shows that the rental of the Drapers' Company was in 1833 about 23,500*l.*, and that the rental of the Fishmongers' Company was in 1834 about 18,000*l.* In 1879 the rental of the Drapers' Company proves to have been about 69,000*l.*, and in the same year that of the Fishmongers' Company proves to have been about 48,000*l.*; so that in less than 50 years, one estate increased nearly 300 per cent., and another nearly 270 per cent. in annual value.

(2) The jurisdiction of the Chancery Division is founded on the "Statute of Charitable Uses," 43 Eliz. c. 4, passed in 1601. This statute sets forth the following purposes as charitable, viz., "For relief of aged, " impotent, and poor people; for maintenance of sick and maimed soldiers and mariners, schools of learning, " free schools, and scholars in universities; for repairs of bridges, ports, havens, causeways, churches, seabanks, " and highways; for education and preferment of orphans; for or towards relief, stock, or maintenance of " houses of correction; for marriages of poor maids; for supportation, aid and help of young tradesmen, " handicraftsmen, and persons decayed; for relief or redemption of prisoners or captives; and for aid or ease " of any poor inhabitants concerning payments of fifteens, setting out of soldiers, and other taxes." A series of decisions of Courts of Equity have settled that, in addition to the purposes thus enumerated, those also are to be considered as charitable which are by analogy within the spirit and intendment of the statute. The Court, upon the motion of the Attorney-General, either ex officio or at the instance of a relator (1) decides as to whether the funds in question are within its jurisdiction, (2) frames in the case of obsolete purposes çy près schemes. The Charity Commission derives its powers from "The Charitable Trusts Act, 1853" (16 & 17 Vict. c. 137), "The Charitable Trusts Act, 1855" (18 & 19 Vict. c. 124), "The Charitable Trusts Act, 1860" (23 & 24 Vict. c. 136), and "The Charitable Trusts Act, 1869" (32 & 33 Vict. c. 110). They are partly judicial, partly administrative. The Commissioners and their inspectors are empowered to make inquiries into the circumstances of charities, and to enforce the production of the information which they may require for this purpose. Under certain circumstances the Commissioners may sanction schemes for the allocation of charitable income. The trustees of charitable endowments are bound to keep full accounts of the expenditure and to transmit them annually to the Commissioners. The reports of the Inspectors of Charities on the Companies' Charities are published in the Appendix to this report, as are also the accounts of the Companies' Charities, which were supplied to the Charity Commissioners during the year 1880.

The fund arises from about 1,100 benefactions, the earliest certainly not less ancient than the fourteenth century, the latest under wills proved within the last few years. Of this sum of upwards of 200,000*l.* a year, about 140,000*l.* a year arises from rents and rentcharges; the remainder arises from dividends. (1)

Your Majesty's Commissioners of Charities in their "Digest of Endowed Charities," published in 1877, have analyzed the objects, as reported upon by Your Majesty's Inspectors of Charities in 1862, supported by the trust income of the Livery Companies, and have shown that about one half the income was then expended upon the inmates of almshouses and poor members, about one quarter on education, *i.e.*, on schools, apprenticing charities, and exhibitions at the universities, and about one quarter on charitable objects of a general kind; the two principal charities of this third class being endowments for the relief of the indigent blind (2) and a fund for the sustentation of elementary schools connected with the Church of England. (3)

Present distribution of charitable income.

The returns show that since 1862 there has been a considerable alteration in the distribution of the charitable income of the Companies, owing to the increase of the rents of certain of the educational foundations. At present, of the 200,000*l.* which forms the charitable income, (1) about three-eighths, or 75,000*l.* a year is expended on the support of almshouses and the relief of poor members; (2) about three-eighths, or 75,000*l.* a year, on education, as above defined; (3) about one quarter, or 50,000*l.* a year, on charitable objects of a general kind.

Obsolete or impracticable charities.

Some of the charities of the third class are bequests for purposes which are obsolete, such as the relief of the inmates of debtors' prisons; others are bequests for purposes which seem to have become impracticable, owing to the difference between ancient and modern times, as for instance, "portions to poor maids" and "loan charities" for advances to young men commencing business (4).

Provincial charities.

Many of the Companies' charities are for the benefit of the inhabitants of provincial towns and villages. We believe that this is so as regards all the counties in which the companies possess lands. It would seem that in early times persons from the provinces came to London to engage in business, and when they had amassed fortunes, left legacies to their native places as well as to the guilds to which they belonged.

Almshouses and pensions to poor members.

1. As regards the first division of the charitable expenditure, viz., the sum of 75,000*l.*, which is spent on almshouses and poor members. Most of the great Companies, and several of the minor Companies, maintain almshouses for their poor. The principal of such almshouses are Whittington College (5) in Islington, maintained by the Mercers' Company, St. Peters' Hospital at Wandsworth (6), maintained by the Fishmongers' Company, the Goldsmiths' almshouses at Acton, Middlesex, and Hackney (7), the Merchant Taylors' almshouses at Lee, Kent (8), the Skinners' almshouses at St. Helen's and Mile End (9), the Salters' almshouses at Watford (10), the Ironmongers' almshouses in Kingsland Road (11), the Vintners' almshouses at Mile End (12), the Clothworkers' almshouses at Islington (13), the Armourers' almshouses in Bishopsgate (14), the Bakers' almshouses in Hackney (15), the Brewers' almshouses at South Mimms (16), the Carpenters' almshouses at Twickenham (17), the Coopers' almshouses at Stepney, Middlesex (18), the Dyers' almshouses in the City Road and in Spitalfields (19), the Framework Knitters' almshouses in Shoreditch (20), the Girdlers' almshouses at Peckham (21), the Leathersellers' almshouses at Barnet (22), the Saddlers' almshouses in Isleworth (23), the Tylers' and Bricklayers' almshouses at Islington (24), and the Weavers' almshouses at Wanstead (25).

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(1) The charitable income of the Livery Companies of London was reported as 67,700*l.* a year by the first Charity Commissioners. This was apparently the income about the year 1820. In the return furnished by the present Charity Commissioners at the instance of Lord Robert Montague in 1877, the charitable income is stated to be 99,000*l.* The report, however, refers to the year 1862. The School Board of London, reporting in 1881 on materials supplied to their Endowments' Committee by the Charity Commission, estimate the charitable income of the Companies at about 186,000*l.* This estimate relates to the income for 1878. Our estimate of 200,000*l.* refers partly to the income for 1879, partly to that for 1880.

(2) The principal trusts for this purpose are administered by the Clothworkers' Company.

(3) This trust is administered by the Ironmongers' Company.

(4) The objects of the 1,100 trusts administered by the Companies include, it is believed, all those enumerated in the "Statute of Charitable Uses" (43 Eliz. c. 4.), except the maintenance of "houses of correction" and the relief of "poor inhabitants."

(5) Founded in 1421.
(6) Founded in 1618.
(7) Founded respectively in 1562 and 1703.
(8) Founded in 1683.
(9) Founded respectively in 1558 and 1683.
(10) Founded in 1454 and 1578.
(11) Founded in 1555 and 1703.
(12) Founded in 1446.
(13) Founded in 1540, 1640, 1697.
(14) Founded in 1551.
(15) Founded in 1589.
(16) Founded in 1686.
(17) Founded in 1840.
(18) Founded in 1540.
(19) Founded in 1545.
(20) Founded in 1727.
(21) Founded in 1431.
(22) Founded in 1620.
(23) Founded in 1454.
(24) Founded in 1832.
(25) Founded in 1669.

The dates of the foundation of these charities, as given in the notes, are taken partly from the returns made to the present Commission by the Companies, partly from the reports of the Charity Commissions, and of Your Majesty's present Inspectors of Charities. There is reason, however, for supposing that many of these foundations are really older. Probably as early as the fourteenth century the Companies had several almshouses in the City of London.

Subsequent endowments.

These institutions have in almost all cases been largely endowed by bequests of land or money of a date subsequent to their foundation. Upwards of 500 of the 1,100 charities administered by the Companies relate to the sustentation of the almshouses, or to the relief of impoverished members, or that of the widows and orphans of members by gifts of money, food, or clothing. Very many trusts of this kind have been created during the last century, and not a few during the present century, the benefactors having been in every instance, it is believed, members of the Companies.

Sums spent on the almshouses out of the corporate income.

Subscriptions by existing members.

The reports of the Charity Commissions and the return of Your Majesty's inspectors of Charities contain histories of these foundations which show that from a very early period they have been assisted by the Companies by grants from corporate income. In many cases also existing members have subscribed out of their private means to support them. During the past and the present centuries, also, almost all the almshouses have been rebuilt, and for this purpose the Companies have made considerable grants out of the income arising from their non-trust property.

The almshouses vary in size, some being mere cottages, others like Whittington and St. Peter's Colleges, large establishments, managed by a governor, a chaplain, and a considerable staff of servants.

Pensioners.

Besides the almspeople, a large number of pensioners, decayed liverymen and freemen, and widows and orphan daughters of former members, who are in an indigent condition, are supported or assisted out of the trust income of the Companies. More than 600 charities exist for this purpose.

There are far more women than men inmates of the Companies' almshouses, and a large majority of the pensioners are the widows and orphans of members, chiefly of the mere freemen, the poor members who have never been called to the livery.

The reasons which render it impossible to accurately estimate the number of freemen(1) equally prevent us from calculating the proportion of freemen, who either themselves, personally, during their lifetimes, or after their deaths, vicariously through their widows or orphan daughters, become recipients of charitable relief from the trust funds of the Companies. We should infer, however, that the proportion is large.

Number of almspeople and pensioners.

Sums paid to such persons.

The present number of almspeople, pensioners, and persons otherwise relieved by the Companies, we estimate at about 2,500. Of these, one person, a pensioner, who formerly was a member of the Court of one of the principal Companies, receives 400*l.* a year, and we have met with instances in which a widow and the orphan daughters of a deceased liveryman jointly receive 250*l.* a year.(2) But there are very few pensions of more than 100*l.*, or at most 150*l.*, a year, and the great majority do not exceed 50*l.* a year, while many consist of much smaller sums. The expense of maintaining the almspeople may be estimated at about 60*l.* a year each.

Examination into cases of alleged distress.

Inability of Charity Commissioners to interfere.

We were invited by several of the Companies to inspect their almshouses; but we considered this an unnecessary extension of the inquiry which we had been commanded by Your Majesty to institute. Several of the Companies have stated in their returns the nature of the examination which they are accustomed to make into cases of alleged distress, and we questioned on this subject some of their representatives, gentlemen of much experience in the discharge of this delicate and important part of the duties of the governing bodies. (3) We need only, however, repeat that the constitution of these bodies as above described by us is the only guarantee which the public has for the propriety of this as of other branches of their expenditure, with the addition that Your Majesty's Commissioners of Charities, though they are empowered by their Acts of Parliament to frame schemes under certain conditions for the reorganization of these charities, have no authority to inspect the almshouses or to interfere with or even criticise the expenditure of the governing bodies on almspeople, pensioners, and recipients of casual relief.

Addition from corporate income.

The trust fund for the sustentation of the almshouses, and that for the relief of pensioners, is at present, and has been for the last 10 years, materially increased by a large subsidy from the corporate or non-trust income of the Companies.

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(1) See supra, p. 24.

(2) See return of Mercers' Company.

(3) See the returns *passim*, also the oral evidence of Sir F. Bramwell and Mr. Prideaux, representatives ot the Goldsmiths' Company.

Expenditure on education.

2. As regards the second head of the charitable expenditure, viz. the sum of 75,000*l.* which is spent on education, the objects supported are (1) the Universities of Oxford and Cambridge, (2) certain schools.

(1) The Arabic Professorship at Cambridge derives a portion of its endowment from the funds of one of the Companies. (¹). Several of the great Companies, and a few of the minor Companies, are trustees of funds for the maintenance of scholarships or exhibitions at each university. (²) The number of such foundations at Cambridge is considerably larger than that of those at Oxford. The trusts are generally in terms for the benefit of "poor scholars," and we are informed that in the elections candidates, the means of whose parents are small, are sometimes preferred.

At the two universities there are generally at present upwards of a hundred undergraduates who derive assistance from the funds of the Companies. We have ascertained that some of these students acquit themselves extremely well in the University examinations.

The Companies make a considerable addition to the trust fund which exists for these purposes out of their corporate income.

Classical schools.

(2.) A. Five schools at which a classical education is given are managed by the companies of London. These are St. Paul's School, (³) Merchant Taylors' School, (⁴) Tunbridge School, (⁵) Aldenham School, (⁶) and Great Crosby School (⁷). St. Paul's School and Tunbridge School are two of the most richly endowed schools in England. Merchant Taylors' School has no endowment; it is supported by the Merchant Taylors' Company out of their corporate income. The three first-mentioned schools have a large number of valuable exhibitions at the Universities, of some of which the managing companies are themselves trustees (⁸). Each of these five schools has a high reputation.

St. Paul's School is at present being rebuilt, pursuant to a scheme of Your Majesty's Endowed School Commissioners issued in 1879.

Merchant Taylors' School has recently been rebuilt by the Merchant Taylors' Company.

Tunbridge School has also been recently rebuilt, pursuant to a scheme sanctioned by Your Majesty's Commissioners of Charities in 1870.

The total number of scholars receiving their education at these schools, assuming them to be full, may be estimated at upwards of 2,000 (⁹).

The returns show that during the last 10 years the Merchant Taylors' Company have spent on the Merchant Taylors' School a sum of 140,000*l.* out of their corporate income. The reports of the Charity Commissioners and those of Your Majesty's Inspectors of Charities, show that at times antecedent to the period taken in by our inquiry, the Mercers' and Skinners' Companies spent considerable sums from the same source on St. Paul's and Tunbridge Schools respectively.

"Middle class" schools.

B. The Companies are also trustees and managers of several middle-class schools for children of both sexes. The principal foundations of this kind are (1) in London the Mercers' School (¹⁰), the Grocers' Middle-Class School at Hackney Downs (¹¹), Bancroft's School at Mile End (¹²), the Greencoat School at Greenwich (¹³), Aske's Schools at Hatcham and Hoxton (¹⁴), Dame Owen's School at Islington (¹⁵),

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(¹) The Drapers' Company. The professorship was founded in 1666.

(²) Mercers' (Foundations 1584–1629). Grocers' (Foundation 1656). Fishmongers' (Foundations 1563, 1583, 1642. Skinners' (Foundations 1562, 1618, 1619). Merchant Taylors' (Foundations 1580, 1626, 1747, 1854). Haberdashers' (Foundations 1596, 1622, 1659). Ironmongers' (Foundations 1555, 1579, 1622, 1877). Clothworkers' (Foundations 1586, 1599, 1630, 1635). Bowyers (Foundation 1625). Carpenters' (Foundation 1656). Cutlers' (Foundation 1566). Leathersellers' (Foundations 1601, 1605, 1638). Saddlers' (Foundation 1677).

(³) Founded 1519; managed by the Mercers' Company.

(⁴) Managed by the Merchant Taylors' Company.

(⁵) Founded 1553; managed by the Skinners' Company.

(⁶) Founded 1599; managed by the Brewers' Company.

(⁷) Founded 1618; managed by the Merchant Taylors' Company.

(⁸) Founded St. Paul's School, 1519; Merchant Taylors' School, 1580, 1854, 1855; Tunbridge School, 562, 1619.

(⁹) St. Paul's School should ultimately contain 1,000 scholars; Merchant Taylors' School at present contains 500; Tunbridge School about 300.

(¹⁰) Founded 1542; managed by the Mercers' Company.

(¹¹) Founded by the Company pursuant to a scheme sanctioned by the Endowed Schools Commissioners in 1873.

(¹²) Founded 1728; managed by the Drapers' Company.

(¹³) Founded 1685; managed by the Drapers' Company.

(¹⁴) Founded 1688; managed by the Haberdashers' Company.

(¹⁵) Founded 1609; managed by the Brewers' Company.

the Ratcliff schools at Stepney and Bow Road (1) and the Stationers' school (2). (2) in the provinces,—a school at Horsham, Sussex (3), a school at West Lavington, Wiltshire (4), a school at Oundle, Northamptonshire (5), a school at Colwall, Herefordshire (6), a school at Witney, Oxfordshire (7), a school at Tottenham, in Essex (8), Sir John Gresham's school at Holt, Norfolk (9), a school at Cromer, in Norfolk (10), a school at Bromyard, in Herefordshire (11), a school at Stockport, Cheshire (12), a school at Ashwell, Hertfordshire (13), a school at Wallingford, Oxfordshire (14), a school at Newport, Staffordshire (15), a school at Monmouth (16), a school at Banbury, Cheshire (17), a school at Landrake, St. Erny, Cornwall (18), a school at Peel, in the Isle of Man (19), a school at Sutton Valence, Kent (20), and a school at Islay, Walton, Leicestershire (21).

The number of children of both sexes who are educated at these schools is upwards of 10,000.

On all these schools we find that the Companies which manage them have spent considerable sums out of their corporate incomes. This will be seen on reference to (1) the reports of the Charity Commissioners, (2) the reports made by Mr. Hare, Your Majesty's senior Inspector of Charities, and his colleagues, (3) the returns of the Companies which show that during the years over which our inquiry has extended the Companies have shown great liberality in this respect.

Proportion of trust incomes applicable to (1) classical, (2) middle class education.

It is difficult to fix with accuracy the proportions of this item of the trust-income of the Companies, amounting, as we have stated, to 75,000*l.* a year, which are applicable to (1) classical, (2) middle-class, education respectively. We believe that, including under the former head the contribution to the universities, the sum allocated to classical education is about 35,000*l.* a year, that allocated to middle-class education about 40,000*l.* a year.

General charity.

3. Of the sum of 50,000*l.* a year, which forms the third division of the trust income of the companies, that described by us as devoted to charitable objects of a general kind (1) an amount of about 9,000*l.* a year is applicable to the sustentation of primary schools under the management of clergymen of the Church of England in England and Wales (22), (2) an amount of about 5,000*l.* is applicable to the relief of indigent blind persons (23), (3) the remaining sum, consisting of about 36,000*l.* a year (arising from nearly 500 legacies, bequeathed during a period commencing in the 14th and ending in the present century), is applicable (1) to the relief of the poor of the parishes in the City of London, by doles of money and food, and gifts of clothing, (2) to the relief by the same means, of the poor of parishes in London, outside the City, and of the poor of many urban and rural parishes throughout England; (3) to clerical objects connected with the Church of England, such as lectureships of a general or special character at churches in the City of London, or in connection with certain of the charitable institutions maintained by the Companies in the provinces; (4) to annual subscriptions to medical charities, particularly the London hospitals; (5) to those obsolete or impracticable purposes of which we have given some instances above.

Reports of Inspectors of Charities.

The reports of Your Majesty's inspectors of charities, which are printed as a part of the Appendix to this Report, contain detailed accounts of all the charities above-mentioned, setting forth (1) the names of the founders, (2) abstracts of the deeds or wills constituting the charitable trusts, (3) the property, whether real or personal, which is charged therewith, (4) the mode in which the trusts are administered. In the cases (they are very few) in which a private Act of Parliament has been obtained, the terms of the Act are set forth. In the cases (they are numerous) in which the Court of Chancery has decreed schemes for alterations in the administration of charities, or in which Your Majesty's Commissioners of Charities, or Your Majesty's Commissioners of Endowed Schools have framed schemes for similar purposes under the Acts of Parliament from which they respectively derive their powers, the terms of the schemes are set forth. The amount of charitable property thus dealt with by these authorities has been very considerable (1).

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(1) Founded 1540; managed by the Coopers' Company.
(2) Founded 1858 in pursuance of a scheme established by an order made in the Court of Chancery.
(3) Founded and managed by the Mercers' Company.
(4) Founded and managed by the Mercers' Company.
(5) Founded 1556; managed by the Grocers' Company.
(6) Founded 1612; managed by the Grocers' Company.
(7) Founded 1670; managed by the Grocers' Company.
(8) Founded 1617; managed by the Drapers' Company.
(9) Founded 1554; managed by the Fishmongers' Company.
(10) Founded 1505; managed by the Goldsmiths' Company.
(11) Founded 1656; managed by the Goldsmiths' Company.
(12) Founded 1487; managed by the Goldsmiths' Company.
(13) Founded 1655; managed by the Merchant Taylors' Company.
(14) Founded 1659; managed by the Merchant Taylors' Company.
(15) Founded 1656; managed by the Haberdashers' Company.
(16) Founded 1614; managed by the Haberdashers' Company.
(17) Founded ; managed by the Haberdashers' Company.
(18) Founded 1703; managed by the Ironmongers' Company.
(19) Founded 1653; managed by the Clothworkers' Company.
(20) Founded 1876; managed by the Clothworkers' Company.
(21) Founded 1625; managed by the Bowyers' Company.
(22) The Betton Charity, founded 1723, administered by the Ironmongers' Company.
(23) The principal charities for this purpose were founded respectively 1717–24 and 1790, 1795, 1808, 1860, and are administered by the Clothworkers' Company and the Painterstainers' Company

Gratuitous management of charities.

We believe that, except in cases where (1) the terms of the charitable bequests authorize the Companies to charge for administering the charities, or (2) where an Act of Parliament or a scheme in Chancery, or one framed by Your Majesty's above-mentioned Commissioners expressly authorizes them to do so, the courts of the Companies manage the charities above-mentioned gratuitously. They do not charge the trusts with the five per cent. on the annual value which is commonly allowed in such cases by the rules of the Chancery Division of Your Majesty's High Court of Justice.

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(1) The following is a list of the principal Acts and Schemes :—(1) Mercers' Company. Bancks's Charity, founded 1619, Scheme in Chancery 1883; Bennett's Charity, founded 1619, Scheme of Court of Exchequer 1831, 1833; Viscount Campden's Charity, founded 1616, Scheme of Endowed Schools' Commission, 1875; Dormer's Charity, founded 1545, and 10 other charities, Scheme in Chancery 1833; Trinity Hospital, Greenwich, founded 1614; Scheme of Charity Commissioners 1879; St. Paul's School, founded 1514; Schemes of Endowed Schools' Commissioners 1876 and 1879; Colliers' Charity, founded 1532; Schemes in Chancery 1812. (2) Grocers' Company. Lady Slaney's Charity, founded 1607, Act of Parliament 1869. (3) Drapers' Company. Howell's Charity, founded 1530, Schemes in Chancery, 1853, 1859, 1865; Queen Elizabeth College, founded 1596, Scheme in Chancery, 1596; Russell's Charity, founded 1593, Scheme in Chancery, 1845; Kendrick's Charity, founded in 1624, Scheme in Chancery 1847, Walters' Charities, founded in 1656 and 1658, Scheme in Chancery 1861, Dixon's Charities, founded in 1691 and 1695, Scheme in Chancery 1848; Harwar's Charity founded 1704, Scheme of Charity Commissioners 1879; sundry Charities, founded 1563–1676, Scheme of Privy Council 1844. (4) Fishmongers' Company. Hulbert's Charity, founded 1719; Copping's Charity, founded 1686, Scheme in Chancery 1836; Gresham's Charities, founded 1554 and 1556, Scheme in Chancery 1859; sundry Charities, founded 1552–1576, Schemes in Chancery 1837, 1841. (4) Goldsmiths' Company. Myddleton's Charity, founded 1631, Scheme of Charity Commissioners 1875; Mundie's Charity, founded 1562, Scheme in Chancery 1877. (5) Skinners' Company. Attwell's Charity, founded 1588, Scheme in Chancery 1828, Fisher's Charity, founded 1562, Scheme in Chancery 1833, Hunt's Charity, founded 1557, Scheme in Chancery 1822, Judd's Charity, founded in 1538, Scheme in Chancery 1836. Lancaster's Charity, founded 1618, Scheme in Chancery 1713. (6) Merchant Taylors' Company, Blundell's Charity, founded 1599, Scheme of Charity Commissioners 1878; Donkin's Charity, founded 1570, Scheme of Charity Commissioners 1872; Dowes's Charity, founded 1610, Scheme in Chancery 1876; Harrison's Charity, founded 1618, Scheme of Endowed Schools' Commissioners 1874; Hyde's Charity, founded 1607, and other Charities, Scheme in Chancery 1876. (7) Haberdashers' Company, Aske's Charity, founded 1688, Scheme of Endowed Schools Commissioners, 1873; Bond's Charity, founded 1671, Scheme of Charity Commissioners 1874; Cleave's Charity, founded 1665, Scheme of Charity Commissioners 1876; Hammond's Charity, founded 1638, Scheme of Charity Commissioners 1876; Jones's Charity, founded 1614, Schemes in Chancery 1701, 1705, Scheme of Charity Commissioners 1879; Sundry Charities, founded 1575–1651, Scheme in Chancery 1836. (8) Salters Company, Beamond's Charity, founded 1454, Scheme in Chancery 1841; Coates's Charity, founded 1546, Scheme in Chancery 1839; (9) Ironmongers' Company, Betton's Charity, founded 1723, Decree of House of Lords 1844; Handson's Charity, founded 1653, Scheme of Charity Commissioners 1876; Campbell's Charity, founded 1641, Dane's Charity, founded 1579, Scheme in Chancery 1837. (10) Clothworkers' Company, Bumell's Charity, founded 1603, Scheme of Endowed Schools Commissioners 1878; Cornell's Charity, founded 1550, Scheme of Charity Commissioners 1878; Dixon's Charity, founded 1574, Scheme in Chancery 1875; Evans's Charity, founded 1576, and other Charities, Scheme of Charity Commissioners 1876; Heather's Charity, founded 1801, Scheme in Chancery 1841; Heron's Charity, founded 1580, Scheme in Chancery 1876; Holbie's Charity, Scheme of Charity Commissioners 1880; Lambe's Charity, founded 1580, Scheme of Charity Commissioners 1876; Lese's Charity, founded 1634, Scheme in Chancery 1875; Lute's Charity, founded 1585, Schemes of Charity Commissioners 1877 and 1880; Middlemore's Charities, founded 1618, 1647, Schemes of Charity Commissioners 1877 and 1878; Ormston's Charity, founded 1556, Scheme of Charity Commissioners 1876; Packington's Charity, founded 1559, Scheme in Chancery 1827; Roger's Charity, founded 1551, Scheme in Chancery 1875; West's Charities, founded 1688–1724, Schemes in Chancery and of Charity Commissioners 1875; Sundry Charities, founded 1513–1634, Scheme of Charity Commissioners 1878. (11) Armourers' and Braziers' Company, Bennett's Charity, founded 1595, Scheme of Charity Commissioners 1878; Morry's Charity, founded 1551, Scheme of Charity Commissioners 1878. (12) Cooks' Company, Davis and Phillips' Charities, founded 1708, 1674, Scheme in Chancery 1839. (13) Coopers' Company, Cloker's Charity, founded 1573, Scheme in Chancery 1844. (14) Feltmakers' Company, Machan's Charity, founded 1692, Scheme in Chancery 1838. (15) Girdlers' Company, Palyn's Charity, founded 1609, Scheme of Charity Commissioners 1870; Nevitt's Charity, founded 1633, Scheme in Chancery 1833. (16) Glaziers' Company, Volletts' and Knight's Charities, founded 1724, 1729, Scheme in Chancery 1878. (17) Leathersellers' Company, Ferbras' Charity, founded 1470, Scheme in Chancery 1836; Sundry Charities, founded 1594–1616, Scheme in Chancery 1835; Humble's Charity, founded 1638, Scheme in Chancery 1836; Grasvenor's Charity, founded 1555, Scheme in Chancery 1855; Rogers' Charity, founded 1601, Scheme in Chancery 1846; Elliot's Charity, founded 1605, Scheme in Chancery 1846. (18) Saddler's Company, Hill's Charity, founded 1645, Scheme of Charity Commissioners 1877; Cox's and Pease's Charities, founded 1658, 1682, Scheme of Charity Commissioners 1876; Banner's Charity, founded 1698, Scheme in Chancery 1840; Ewer's Charity, founded 1765, Scheme of Charity Commissioners 1871; Gunton's Charity, founded in 1768, Scheme of Charity Commissioners 1878; Honnor's Charity, founded in 1769, Scheme in Chancery 1855. (19) Stationers' Company, Bishop's Charity, founded 1700, and other charities, Scheme in Charity 1858. (20) Tallow Chandlers' Company, Monk's Charity, founded 1828, Scheme of Charity Commissioners 1870 (21) Wax Chandlers' Company, Kendall's Charity, Scheme in Chancery 1872.

Corporate Income.

Corporate income.

Available corporate income.

We have stated that, including an allowance in respect of (1) the halls and other buildings used by the Companies, and of (2) their plate, furniture, and other property not producing income, we estimate the corporate or non-trust income of the livery Companies of the City of London at from 550,000*l.* to 600,000*l.* a year. Taking the smaller sum as a basis, and deducting from it a sum of 125,000*l.*, which may be taken to represent (1) such allowance, (2) a sum representing the interest of the debt of the Companies, and (3) a sum representing the average proportion of income saved annually; an amount of, roughly speaking, 425,000*l.* remains to be accounted for. Of this sum, we compute that (1) about 175,000*l.* is annually spent on "maintenance," (2) about 100,000*l.* is annually spent on entertainments, (3) about 150,000*l.* is annually spent on benevolent objects.

Spent on (1) maintenance, (2) entertainments, (3) benevolent objects.

Maintenance.

1. In "maintenance" we include (1) sums spent in the payment of rates and taxes, in rebuilding, repairs, and other charges connected with the halls, (¹) almshouses, schools, and other buildings occupied or used by the Companies, and improvements on their estates, (2) in the payment of court fees, *i.e.*, fees paid to the members of the courts or governing bodies for attendance at meetings for the discharge of the business of management, (3) in the salaries of the officers and servants employed by the Companies in London, and on their estates in Ireland. We estimate that of the 175,000*l.* spent on "maintenance" (1) about 75,000*l.* a year is spent on rates, taxes, rebuilding, repairs, and improvements, (2) about 40,000*l.* a year is paid to the members of the governing bodies as "court fees," (3) about 60,000*l.* a year is spent on the salaries of the officers and servants of the Companies. This is, however, a somewhat rough estimate, the parts of the returns which relate to the subject not being precisely uniform.

Rates, taxes, repairs, improvements.

(1.) Of the above-mentioned sum of 75,000*l.* rates and taxes, which include the tithe rentcharge on the Ulster estates of the Companies, form the least considerable item. A sum which amounts to a very heavy per-centage on the income derived from Ireland is annually spent on "improvements," in which term are included not only drainage and farm buildings, but the construction and maintenance of roads and bridges, and the support of places of worship, schools, and dispensaries for the use of the tenants. A fair proportion of the fund is expended on repairs and improvements in connection with the urban and rural English estates of the Companies. The largest item, however, is that which is annually expended on the restoration and decoration of the halls, 34 in number, which the Companies possess. (²)

Court fees.

(2.) "Court Fees," in respect of which a sum amounting to 40,000*l.* is annually distributed among the members of the governing bodies, are payments to such members for attendance at the "courts" or meetings of the governing bodies for the transaction of business, *e.g.*, admissions to the freedom, calls to the livery, elections to the courts, appointment of officers and servants, management of the corporate and charitable estates, elections of almspeople and pensioners, superintendence of schools, invitations to entertainments, and the selection of public or benevolent objects to be supported out of the corporate income.

The highest fee paid for attendance at a single meeting is five guineas, the lowest half a guinea. In many of the less opulent Companies, no fees are paid. The courts of the chief Companies meet about once a month, those of the minor Companies about once a quarter. Where the business is large and complex, committees are appointed for special purposes, and in some cases the members appointed to serve receive extra

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(¹) All the halls have been several times rebuilt. During the ten years over which our inquiry has extended, several of them have been rebuilt or restored.

(²) The Companies having halls are the Mercers', Grocers', Drapers', Fishmongers', Goldsmiths', Skinners', Merchant Taylors', Salters', Haberdasher's, Vintners', Clothworkers', Apothecaries,' Armourers', Bakers', Barbers', Brewers', Butchers', Carpenters', Coachmakers', Coopers', Cordwainers', Curriers', Cutlers', Dyers', Founders', Girdlers', Innholders', Leathersellers', Painters', Saddlers', Stationers', Tallow Chandlers', and Waxchandlers' Companies.

fees. The prime wardens, the renter wardens, and the other members holding office, generally receive higher fees than the ordinary members or assistants. (¹)

Owing to omissions in some of the returns, we are unable to state definitely the largest sums received annually as "court fees" by members of the governing bodies of the Companies. We should infer that there were cases in which as much as 300*l.* was thus paid in a year to an individual. From the returns it appears to be not uncommon for members of the courts to receive as much as 150*l.* a year. On the other hand, there are cases in which members of the courts of wealthy Companies do not receive as "court fees" more than 50*l.* a year.

Salaries. English and Irish staffs.

The sum of 60,000*l.*, at which we estimate the salaries and allowances annually paid to the officers and servants of the Companies, supports two staffs, (1) the one employed at the halls or clerks' offices of the Companies in London, (2) the other employed in Ireland in connection with the Ulster Estates. A clerk and a beadle have been attached to each guild since a date prior to its incorporation. As the estates have increased, a number of additional offices have been created, such as those of accountants, surveyors, and assistant clerks, and a staff of domestic servants has been engaged. Those of the Companies which retain their lands in Ulster have employed resident agents since they ceased to let to middlemen. As may be supposed, the expenses of the staff employed in London are much greater than those of that employed in Ireland.

Salaries of clerks.

The highest salaries paid to clerks of the London Companies amount to about 2,000*l.* a year. The returns show that there are at present two gentlemen in this position who receive this sum for their services. The salary next in amount is one of 1,500*l.* a year. These are, however, exceptional cases. The clerks of most of the important Companies receive about 700*l.* a year. The salaries of those attached to the minor Companies are small. The clerks are mostly solicitors, and in some cases are allowed to carry on a private practice at the halls of the Companies which employ them.

In the above calculation we have not taken into account the salaries of the masters of the Companies' schools, those of the governors, matrons, and medical officers of their almshouses, or those of the chaplains and clerical lecturers whom they employ in connection with the charities of which they are trustees.

Entertainments.

2. The cost of the entertainments annually given by the Companies we estimate at 100,000*l.* (²)

Livery and court dinners.

They are of two kinds, (1) banquets to the liveries, (2) dinner parties which take place on the days on which the Courts meet. Two or three banquets of the former kind are held annually in the more considerable Companies. In those of less importance not more than one livery dinner is given annually, and in some cases, owing to want of funds, the members of the liveries are not entertained. It is the practice of most of the Companies to invite guests on these occasions. Royal personages, members of Your Majesty's family, members of the reigning houses of Continental States in alliance with Your Majesty, during their visits to London, and persons of distinction, both subjects of Your Majesty and foreigners, are frequently entertained by the Companies, which thus assist the Lord Mayor and the Corporation of London in dispensing the hospitality of the city. Their entertainments to persons of eminence are frequently preceded by the ceremony of conferring their freedom, *honoris causâ*, on their distinguished guests.

The Court dinners, which are more frequent, are comparatively small parties. In many cases guests are invited to these entertainments also.

Public or benevolent objects.

4. The part of the Companies' corporate income which is devoted to public or benevolent objects we estimate at 150,000*l.* a year. If to this sum be added the trust income of 200,000*l.* a year, it follows that about half the income of the Companies is at present allocated either under the term of benefactions or voluntarily to public or benevolent objects.

(¹) Many of the wills of the founders of the charities administered by the Companies contain provisions for the annual payment of small sums to the wardens, clerks, and beadles of the Companies, sometimes with, sometimes without specific reference to their duties in connection with the administration of the trusts.

(²) In our calculation we have not included a considerable sum which is annually contributed for the purpose of entertainments by members of some of the minor Companies out of their own pockets. There are some, but not many, bequests expressly referring to banquets. But, however, for the intervention of the State at the Reformation, there would have been many such bequests to be administered, for most of the wills which provide for masses for the dead provide also for entertainments which are to follow the religious ceremony.

(1) Relief of poor members.

(1.) Of this sum of 150,000*l.* a year, about 10,000*l.* a year appears to be expended on the relief of poor members, an object to which, as we have explained, three-eighths of the trust income, or 75,000*l.* a year, is applicable.

(2) Education.

Exhibitions.

(2.) About 50,000*l.* appears to be expended on education: (1) A large number of the exhibitions to which the Companies appoint as trustees have been added to by them out of their corporate income, and several exhibitions have been endowed by the Companies out of the same source, some at the Universities of Oxford and Cambridge, some at University and King's Colleges, London, some in connection with the Companies' numerous schools, some in connection with the London School Board, some in connection with the newly founded colleges for the higher education of women, Girton College and Newnham College, and other institutions.

Schools.

(2.) Almost all the schools of which the Companies are trustees are assisted out of the corporate incomes of the Companies, and some of those enumerated in the above list, such as the Merchant Taylors' School of the Merchant Taylors' Company, and the middle class school at Hackney recently founded by the Grocers' Company, are without endowment, and are supported out of sums voluntarily set aside year by year out of the corporate incomes.

Technical education.

City and Guilds of London Technical Institute.

(3.) The subject of technical education has within the last few years been taken up by the Companies. The Clothworkers' Company has promoted the establishment of Yorkshire College at Leeds where instruction is given in the manufacture of woollen goods, and similar institutions at Bradford, Huddersfield, and other places, the present seats of its former trade. The "City and Guilds of London Institute for the Advancement of Technical Education" has also recently been formed. It is an Association consisting of representatives of the City of London, and of most of the more considerable Livery Companies, and the funds which have been placed at its disposal by the City and the Companies are very large. A building fund of upwards of 100,000*l.* has been contributed, and annual subscriptions have been promised amounting to about 25,000*l.* a year. The former sum has been or is being expended on a Technical College in Finsbury and a "Central Institution" in South Kensington. (¹)

Benevolent and public objects.

3. About 90,000*l.* a year appears to be expended on benevolent and public objects of a general character. Besides the contribution to churches, schools, and dispensaries in Ulster, which is frequently, as we have stated, included in the returns in the

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(¹) On the subject of these institutions we have consulted Your Majesty's Commissioners on Technical Education, from whom we have received the following report:—

Royal Commission on Technical Education,
South Kensington Museum, London, S.W.,
June 12, 1883.

SIR,

I AM now able to state, in further reply to your letter of the 6th July 1882, for the information of the City of London Livery Companies' Commission, that, inasmuch as the duty of the Royal Commissioners is to report to Her Majesty on the questions submitted to them, it is out of their power to advise you in their official capacity on the subject of the proposed scheme of the "City and Guilds of London Institute" for the promotion of technical education.

I am, however, empowered by the Chairman (Mr. Samuelson) to state his personal opinion, in which his colleagues, as individuals, generally concur, as follows:—

"The 'City and Guilds of London Institute for the Advancement of Technical Education' has established second grade schools for technical instruction in science and art in the metropolis.

"It grants subventions to similar schools in the provinces.

"It examines candidates in technology, and it encourages technical instruction by means of grants to teachers on the results of the examinations.

"It is erecting a central institution at South Kensington for technical instruction of a higher grade than that of the second grade technical schools, and for training teachers of technology.

"I am informed that the probable annual expenditure for these undertakings, including only such moderate extension as will almost immediately necessarily occur, cannot be less than the following:—

	£
(1.) For the existing London Second Grade Technical Schools - - - - -	11,000
(2.) For subventions to Local Schools - -	5,000
(3.) For grants to teachers on results of examinations -	5,000
(4.) For the Central Institution - - -	15,000
(5.) For administration, &c. - - - - -	3,500
	£39,500

"I believe that if the work undertaken is to be effectually performed these estimates are very moderate, and more likely than otherwise to be exceeded. I found this opinion partly on the cost of analogous work abroad. But the field for this work, more especially for the establishment of secondary technical schools in the metropolis, and for aid to similar schools in various industrial centres, is so extensive that, if the City of London Institute is to continue the work which it has begun, a very considerable addition to the above sum expenses of the management of these estates, the Companies contribute largely to other Ulster charities, both religious and secular, and also have of late subsidized new railways by grants of land and loans. These sums taken together amount to a deduction from the rents greatly exceeding the sum commonly contributed to such purposes by private landlords. In the districts of England in which the Companies possess lands they generally support the religious and secular charities connected with their estates. As regards London, where the bulk of their property is situated, they make annually a very large contribution, one probably amounting to 70,000*l.* or 80,000*l.*, to public and benevolent objects. One hospital, the London Hospital, has during the 10 years over which our inquiry has extended received 26,500*l.* from a single Company, that of the Grocers. The other great hospitals, the hospitals for special diseases, the dispensaries, and the other medical charities, not only those of the City proper, but those in other parts of London, receive a very large sum annually from the Companies. Religious charities also, such as the Bishop of London's fund and the societies having for their object the building and endowment of churches and schools in connection with the Church of England, receive a considerable subsidy. Secular objects, orphanages, refuges, and funds for the relief of distress, such as the poor boxes at the Metropolitan Courts, are also supported by the Companies, and they are large contributors to the numerous "Mansion House Funds" set on foot under special circumstances by the Lord Mayor and the Corporation of London. Of late also, and particularly since the movement in favour of technical education began, some of the Companies whose names represent existing trades have given exhibitions at their halls or elsewhere of works of art or of the processes of manufacture, (1) and have become supporters of trade benefit societies.

Charities in connection with estates in Ulster.

Provincial charities.

Charities of London.

London hospital.

Clerical funds.

Mansion House funds.

Exhibitions.

Mode in which the corporate estate was acquired.

A part of Your Majesty's Commission (2) having been a direction to us to inquire into "*any trust deeds or other documents affecting*" the Companies, we included in our circular of interrogatories a question as to the mode in which the real estate held by

Acquisition
estate.

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will be necessary within the next few years, and I do not think that it is at all unreasonable to estimate the increased funds required for this extension at about 20,000*l.*

"I am of opinion that the scheme of the Institute is well considered, and that the whole of the work is such as may be undertaken with advantage to the industrial classes.

"(1.) London is not only a great commercial city, but the centre of most important manufactures and handicrafts. Technical schools of applied science and art, like those of Finsbury and South Lambeth, and especially the evening classes of those schools, are intended to afford instruction of a kind adapted to the needs of the vast numbers employed in occupations of this kind.

"(2.) The stimulus given to similar provincial schools by subventions is undoubted, and I regard this as one of the most useful departments of the Institute's operations.

"(3.) The utility of the examinations of candidates in technology will increase with the supply of competent technological teachers, for the training of whom the Central Institution is in part intended. That utility will also increase in proportion to the better instruction of the students in elementary subjects, including elementary science, to which we may reasonably look forward. The rule which limits the grants to the results of examination of such persons only as are actually employed as workmen or otherwise in the industries which form the subjects of examination is a good one.

"Besides training teachers of technology, the Central Institution is intended to fulfil in this country the purposes of the great Continental technical schools, like the École Centrale des Arts et Manufactures of Paris and the Polytechnicum of Zurich, namely, to give the highest instruction in science in its applications to arts and manufactures. In order that this important work may be effectively carried out, the staff of teachers and the laboratories should not be stinted for want of adequate funds.

"It is essential to the success of these undertakings that regard should be paid to the peculiar conditions of industrial life in this country, and I believe that this is fully understood by those in whose hands the affairs of the City and Guilds of London Institute have been placed.

"(Signed) B. SAMUELSON."

I have the honour to be,
Sir,
Your obedient Servant,
(Signed) GILBERT R. REDGRAVE,
Secretary.

The Secretary,
City of London Livery Companies' Commission,
2, Victoria Street, Westminster, S.W.

(1) The most remarkable of these exhibitions has been the Fisheries Exhibition held in 1883, which was largely assisted by the Fishmongers' Company. The Fanmakers', Horners', Turners', and Shipwrights' Companies have also held exhibitions. The Goldsmiths' Company have contributed to trade benefit societies, and other Companies, particularly the Bakers', Cooks', Coachmakers', Farriers', Founders', Fruiterers', and Needlemakers' Companies, have offered prizes for proficiency in technical subjects. A "Sanitary Exhibition" is to take place in 1884, and it is understood that this object is being assisted by the Companies.

(2) See Commission, first clause.

each Company as corporate property had been acquired. The Companies have not, however, generally answered this question, except by the mere statement that the parcel of land in question was "*acquired by the Company in its corporate right*," and as their title deeds are privileged documents, and we have not been invested with the power of enforcing discovery, we have not derived much information on this subject from the returns.

Evidence from (1) the reports of the Charity Commissioners, (2) those of the Inspectors of Charities, also (3) proceedings in Chancery.

The reports, however, of the several Charity Commissions, and those of Your Majesty's present Inspectors of Charities—the latter form part of the Appendix to this Report—though nominally confined to the trust estate of the Companies, are really of great importance as regards their corporate estate, and particularly as regards that portion of it which consists of house property in the city of London. The proceedings also which have taken place, from time to time, in the Court of Chancery have thrown much light on the (1) circumstances under which this estate has been acquired. (1)

The information which is to be derived from the above-mentioned sources may be thus summarized :—

Purchasers by "custom of the city."

1. A large proportion of the lands in the city of London held by the Companies "*in their corporate right*" was acquired by them outside their licences in mortmain, under the custom of the city which we have described.

"Obit" lands.

2. A large proportion of the lands in the city of London held by the Companies "*in their corporate right*" was obtained under wills constituting trusts for the maintenance of obits, chauntries, or for other "superstitious uses." This land the Companies were allowed, as we have already stated, to purchase from the Crown after its confiscation at the time of the dissolution of the monasteries. This was done by means of Crown grants made in the reigns of Edward VI. and James I. (2)

Interpretation of Crown grants by Court of Chancery.

The terms of the grants have been held by the Court of Chancery (3) to have vested in the Companies the same absolute property in these lands which the Act of the 1st Edward VI. vested in the Crown, and they have thus been since the Reformation in the eye of the law the corporate property of the Companies, free from any trust. There is no doubt, however, that the lands were only allowed to be bought back because the Companies represented to (4) the Crown, as was no doubt the fact, that the rental was required for the support of their almshouses, schools, and exhibitions, many of which depended for their existence on these superstitious benefactions. We think there is nothing unfair as regards the Companies in a recognition of this state of circumstances, and though we allow all proper weight to the decisions of the Court of Chancery, we do not consider ourselves bound by them in framing the present Report to Your Majesty, and we desire to express the opinion that these Crown grants may be reasonably taken to have been made in the expectation that the income would continue to be in great part applied to charitable objects, such as, in particular, education and the relief of poverty. The amount of these repurchased lands is very large, though we are unable to estimate it with precision, as the materials for doing so are not contained in the returns or in the documents with which we have been supplied by Your Majesty's Commissioners of Charities. We should add that the reports of Your Majesty's inspectors show that a very considerable amount of this fund is applied by the Companies voluntarily to charitable objects of the nature defined in their above-mentioned representation to the Crown (5).

Reasons for regarding this as trust property.

Legacies of money to be converted into land.

3. The reports of Your Majesty's Inspectors of Charities contain many cases of early legacies of money which, by the terms of the bequests, was to be converted into land. It sometimes, however, appears that the Companies have not been able to prove from their archives that the trust to purchase lands had ever been executed, and that they have been in the habit of simply crediting the charities with the annual interest of the sums bequeathed. Many of the deeds and minutes of court of the Companies perished in the Fire of London, and there is consequently serious difficulty in ascertaining the truth as to this matter.

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(1) See list supra. Many of the suits in Chancery there enumerated were begun at the instance of the Companies. These were generally applications for *cy-près* schemes. In the proceedings taken by the Attorney-General against the Companies for alleged breaches of trust, the Companies have, in a large majority of instances successfully resisted the informations. See the returns and the reports of the Inspectors of Charities.

(2) See the letters patent of Edward VI. and the Private Act 4 Jas. I. Kneseworth's case, 2 Beav., 151.

(3) See, per Lord Cottenham, Attorney-General *v.* Fishmongers' Company, 2 Beav., 588.

(4) See supra, page 16.

(5) See *e.g.*, Mr. Hare's Report on the Preston bequest (1434), administered by the Fishmongers' Company.

It is obvious, however, that, if these bequests of money were really spent on the purchase of land in the City, the lands so bought are a part of the trust as opposed to the corporate estate; and that considering the great recent increase in the value of house property in the City, a serious loss may have resulted to the charities administered by the Companies. The history of these bequests is, however, so imperfectly known that we are not justified in inferring that this undesirable result has occurred in many instances.

Origin of large sums raised by the Companies.

4. For the purpose of the re-purchase of their forfeited estates, as above mentioned, and also for the purposes of the rebuilding of their halls and house property after the fire, and of the acquisition of their Ulster lands, the Companies raised very large sums of money between the years 1547 and 1604. The returns dwell on these facts and in effect represent the Companies as having been founded anew at their own expense during this period. The sum paid to the Crown in respect of the Irish estate seems to have been levied as a civic impost. There is little direct evidence as to the origin of the funds with which the "chauntry" lands were redeemed, and the halls and houses were rebuilt (¹); but it would seem that part was raised by mortgage, part by the contributions of existing members, or members who were persuaded to join for the purpose of helping the Companies out of their difficulties. Even assuming, however, that the Companies were actually founded anew at this period, the second foundation took place a long time ago, and they are public bodies. Moreover the object of the contributions which were made to repair the ravages of the fire was in great part the maintenance of the schools, almshouses, and other charitable institutions, of which the Companies then were and now are trustees.

Doctrines of Chancery.

5. Through the courtesy of the two learned gentlemen who have assisted us, we have been placed in a position to appreciate, however imperfectly, the results of the interpretation put by the Court of Chancery on wills where the question has been whether the charities, or the Companies which administer them, were to become entitled to the increased income resulting from the rise in value of house property in the City of London, and also the schemes framed by that Court in accordance with the principle of *çy-près* to which it has recourse in the case of obsolete or impracticable benefactions. We do not think these results always satisfactory as regards the affairs of the Companies. We recognize that the function of a Court can only be accurately to interpret the terms of the wills and to carry out the founders' intentions, and no doubt the rules as to interpretation adopted by the Court of Chancery are judicious, while, in framing *çy-près* schemes, the Court has shown a wise and liberal spirit, and has done its utmost to recognize changes in the circumstances of the times and in popular opinion. But we think it impossible to peruse many of the cases without seeing that the Companies have made good their title to unexpected increment as corporate income when there was really an intestacy with respect to the fund, or under circumstances which do not show at all decisively that the testator ever intended to constitute them beneficiaries. This observation applies to a very considerable sum of money. We are also of opinion that the applications to the Court of Chancery for *çy-près* schemes, and to Parliament for private Acts, have been attended with much unnecessary expense, and have not always led to the results most useful to the public (²).

Çy-près schemes.

Unexpected increment.

School Board Report on Companies' charities.

In concluding this summary of the results of our inquiry as regards the first four parts of Your Majesty's Commission, we must not neglect to thank the School Board for London for their valuable report on the subject of the charities administered by the Companies. It is exceedingly elaborate, and we have much pleasure in testifying to its excellence, and in acknowledging the assistance which we have derived from it. We conceive, however, that it is not necessary for us to express an opinion on the very numerous questions raised by it as to a better application of the Companies' trust income, and in particular as to the effect of section 30 of the Endowed Schools Act, 1869, on some of the endowments; which is a question of law.

Assistance rendered to the Commission in the course of the inquiry.

We have also to tender our thanks for valuable assistance in the course of this inquiry to (1) Earl Granville, Your Majesty's Secretary of State for Foreign Affairs,

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(¹) See on this subject the returns of the Mercers' and Grocers' Companies. The sums levied by the Plantagenet, Tudor, and Stuart sovereigns appear to have been raised in the same manner; and also the loans to the municipality for providing corn and coals for the poor. (See supra, p. 17.)

(²) The litigation in respect of Betton's Charity, founded 1723, and administered by the Ironmongers' Company, lasted from 1829 to 1845, and is stated by Mr. Hare to have cost upwards of 10,000*l*. The scheme settled at this cost has been recently the subject of a petition to Parliament by the London School Board. In another instance a Company is to this day occupied, under a scheme framed in Chancery, in advertising for legatees bearing the same Christian name and surname as an eccentric benefactor.

and to the Secretaries of Legation who, under his Lordship's directions, have favoured us with reports with respect to the mediæval guilds of the Continent; to Monsieur Pigeonneau, of the Sorbonne, and Mons. Levasseur, of the French Institute, to Mons. Émile de Laveleye, of Liège, to Mynheer Vandereige, of the Hague, to Herr Vispering, of Berne, to Dr. Brock, of Bergen, to Signor Luigi Bodio, the Director of Statistics at Rome, to Señor Don Morel and Señor Don Pascal de Gayangos, of Madrid, and to the Viscomte de Figanière, of Lisbon, gentlemen who have sent us communications on the same subject; to (2) the Bishop of Chester, Mr. Froude, and Mr. Freeman, who have given us opinions and advice as to points of history; to (3) Dr. Brentano, of Aschaffenburg, and Miss Toulmin Smith, who have advised us as to points of archæology, and to (4) Mr. Horace Davey, one of Your Majesty's Counsel learned in the law, and Mr. Francis Vaughan Hawkins, the two members of the Equity bar who have been so good as to place their services at our disposal, and who have given us highly useful advice.

PART V.

Suggestions as to Reform.

Suggestions as to reform.

The fifth and last part of Your Majesty's Commission empowers us to make recommendations to Your Majesty with respect to the improvement of the constitution of the Companies of London and the better application of their revenues. Its text is as follows: "*To report what we shall find touching or concerning the premises upon such* "*inquiry as aforesaid, and also to consider and report what measures (if any) are in our* "*judgment expedient and necessary for improving or altering the constitution of such* "*Companies, or the appropriation or administration of the property or the revenues thereof.*"

Evidence of the Lord Chancellor.

A great authority, the Lord Chancellor, in the course of a statement made by his lordship before us with reference to the City and Guilds of London Technical Institute, while admitting that the Companies are under a greater moral responsibility to the public with respect to their corporate expenditure than private individuals, stated his belief that the Companies were "at law absolute and perfect masters of their" corporate "property" and "declined to contemplate" any "redistribution" of the Companies' corporate incomes by the State(1). The Companies themselves, in the protests with which their returns have been commonly accompanied—protests, that is, against the legality of that portion of the inquiry which related to property of the Companies not proved to be subject to any trust—have taken up the same position. Those of Your Majesty's Commissioners who sign this report are unable to acquiesce in this view. It appears to us obvious that the State has a right at any time to disestablish and disendow the Companies of London, provided the just claims of existing members to compensation be allowed. We do not, however, recommend this course to Your Majesty's Government. We are of opinion that the State should intervene, but only for the purposes of (1) preventing the alienation of the property of the Companies of London, (2) securing the permanent application of a considerable portion of the corporate income thence arising to useful purposes, (3) declaring new trusts in cases in which a better application of the trust income of the Companies has become desirable.

Protests of the Companies.

Right of State to intervene.

Propriety of State intervention as regards (1) the corporate estate.

The propriety of State intervention as regards the corporate estate of the Companies appears to us to be proved by the following considerations as herein-before mentioned, (1) that the Companies were originally a Municipal Committee of trade and manufactures (2); (2) that on their incorporation by the Plantagenet monarchs they became a State Department for the superintendence of the trade and manufactures of London (3); (3) that from the period of their incorporation till the year 1835 it was necessary to obtain the freedom of a Company in order to become a citizen of London, and that at the present day municipal privileges are enjoyed by the members of the Companies (4); (4) that much of the real property acquired by the Companies during the pre-Reformation period was acquired for the promotion of religious or benevolent objects (5); (5) that their lands which were confiscated at the Reformation as being held to superstitious uses were suffered to be redeemed only upon a representation that the rents were required for the relief of poverty and the promotion of education (6); (6) that it is not improbable that certain of the Companies' title deeds which were destroyed in the Fire would, if preserved, have disclosed trusts (7); (7) that the law of trusts in its application to the increment of the Companies' city house property appears to have promoted the increase of the Companies' corporate estate at the expense of their trust estate (1); (8) that in certain cases trusts to convert charitable bequests of money into land have not been executed by the Companies, and that such neglect has been injurious to the Companies' trust estate (2); (9) that the Companies are public bodies, holding realty (*a*) under licences in mortmain, (*b*) by virtue of a custom of the City of London which has enabled them to acquire land therein, in excess of such licences, and are, therefore, trustees of their corporate estate for public purposes (3).

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(1) *See* evidence of Lord Selborne, 10th day of Oral Inquiry. (2) *See* supra, p. 12. (3) *See* supra, p. 12.
(4) *See* supra, pp. 11, 23. (5) *See* supra, p. 13. (6) *See* supra, pp. 15, 40. (7) *See* supra, p. 40.

As regards (2) the trust estate.

As regards the trust estate of the Companies the facts that several of the numerous charities of which it consists date from the fourteenth century, and that nearly all were founded more than 50 years since, prove, in our opinion, the necessity for a revision of the trusts.

Proposals as to State intervention: Restraint of alienation.

We accordingly humbly submit the following recommendations for Your Majesty's gracious consideration.

1. We think that the Companies should be placed by Act of Parliament under such restrictions as regards the alienation of their real and personal estate as would remove all danger of the loss of any portion of their property, and for this purpose we propose that the provisions of section 94 of the Municipal Corporations Act, 1835 (5 & 6 Wm. IV. c. 76.) should, with whatever necessary modifications, be applied to the Companies, and that the Lords Commissioners of Your Majesty's Treasury should be constituted the restraining authority. We think, however, that such restraint of alienation should not apply to any land or investment bought or made within 50 years before the date of such Act out of monies contributed by then existing members not being trust monies.

Publication of accounts.

2. We think that accounts of the annual expenditure of the Companies, both corporate and trust, duly certified and signed by the masters or prime wardens should be deposited with some public department, and should be open to public inspection, and that such Act should contain a provision to this effect.

Abolition of Parliamentary franchise of liverymen.

3. We think that no future admission to the livery of a Company should confer the Parliamentary franchise, and that such Act should contain a provision to this effect.

Appointment of a Commission to undertake the redistribution of the revenues of the Companies and their reorganization.

4. We recommend the appointment by such Act of Parliament of a Commission, which shall undertake, pursuant to the terms of such Act, (1) the allocation of a portion of the corporate incomes of the Companies respectively to objects of acknowledged public utility, (2) the better application of the trust incomes of the Companies, (3) should it prove practicable, the reorganization of the constitution of the Companies.

Proportion of corporate income to be devoted to objects of acknowledged public utility.

As to (1) the proportion of the corporate income at present allocated to the support of public or benevolent objects varies extremely, as the returns show, in the different Companies. We are of opinion that in every case in which the present members or present governing body of a Company can be shown to have inherited a considerable income, not subject to a trust or trusts enforceable at law, such Company should be compelled by such commission to allocate a considerable proportion of such income to the support of objects of acknowledged public utility. The percentage or percentages of which such considerable proportion should consist in the cases of the Companies respectively we are not ourselves prepared to define, as there is great disparity in the incomes of the Companies, and also in the proportions in which such incomes consist of trust monies.

Application of doctrine against perpetuities to the Companies' charities.

As to (2) we think that the legal doctrine which prohibits perpetuities should be applied, in a modified form, to the charities administered by the Companies, and that such Act of Parliament should contain a provision whereby in the case of any benefaction under a will or other instrument of foundation of a date earlier than 50 years before the date of such Act, it shall be competent to the Commission thereby appointed, to direct the application of the funds to objects of acknowledged public utility without of necessity paying regard to the intentions of the founder.

Reorganization of the Companies. Courts.

As to (3) the question how far it would be possible to improve the present constitution of the Companies without in effect destroying them, appears to us to present considerable difficulty. We can only say that (1) though Your Majesty's Inspectors of Charities frequently express a favourable opinion of the way in which the courts of the Companies administer the charities of which the Companies are trustees, we consider that many of the courts are too numerous for purposes of business, and that as the effect of such Act will be largely to increase the trust incomes of such Companies, and so to create an additional necessity for more perfect boards of administration, the Commissioners should endeavour to render the courts as efficient as possible; (2) that colourable apprenticeship should in our opinion cease to be a qualification for membership of a Company; (3) that some of our number regard

Membership.

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(1) *See* supra, p. 41.

(2) *See* supra, p. 41.

(3) *See* supra, pp. 10, 13.

patrimony as an antiquated and unsatisfactory qualification for membership; (4) that we all regard the sums at present spent by many of the Companies on entertainments, "maintenance," and the relief of poor members as excessive.

Definition of objects of acknowledged public utility.

5. We are of opinion that by the terms of such Act "objects of acknowledged public utility" should be defined as follows:—

(1.) Scholastic and scientific objects, *i.e.*, elementary education, secondary education, classical education, technical education, scientific research.

(2.) General public purposes, *e.g.*, hospitals, picture galleries, museums, public libraries, public baths, parks, and open spaces.

(3.) The improvement of workmen's dwellings, and, where the companies represent trades, subsidies to the benefit societies of such trades.

Such objects to be mainly metropolitan, but in some cases provincial.

6. We are of opinion that having regard to the facts that (1) the Companies are connected with the municipality of London, (2) their wealth is in the main the result of the remarkable progress of London, the objects of acknowledged public utility to be promoted should be mainly metropolitan objects, but that, in cases in which a trade formerly carried on in London has established itself elsewhere, similar objects connected with the present place of the trade may properly be included.

Time for which Commission to be appointed.

7. We suggest that such Commission should be appointed for a period not exceeding five years, that the courts of the Companies should be allowed three years during which themselves to frame schemes in accordance with such Act, under the supervision of the Commissioners, and that the Commissioners should have, if necessary, the remaining period in which themselves to frame schemes for any Companies which may have made default.

8. We also think that any members of the Companies who may be injuriously affected by the reforms contained in the schemes sanctioned by the Commissioners should receive moderate compensation.

Municipal franchise.

We make no suggestion as to the question of the "Common Hall," as the municipal government of London is a matter at present under the consideration of Your Majesty's Government.

Irish deputation.

We make no suggestion as to the evidence given by the above-mentioned deputation from the Ulster estates of the Companies, inasmuch as such evidence was mainly addressed to the subject of the desirability of further legislation with respect to the tenure of agricultural land in Ireland, a matter not within the scope of Your Majesty's Commission.

Claims for endowment.

The claims of the City and Guilds of London Technical Institute, and those of University and King's Colleges, London, and the other learned bodies which came before us as candidates for endowment in the event of our recommending a redistribution of the Companies' revenues, we leave to be dealt with, should it seem desirable, by the Commission the appointment of which we have humbly recommended to Your Majesty.

Succession Duty.

One of our number (¹) desires to have it recorded that some of the Companies have stated in their returns that they would be willing to pay Succession Duty. We think, however, that the State would not be justified in singling out the Companies for special legislation in this respect.

(Signed) DERBY.
BEDFORD.
SHERBROOKE.
COLERIDGE.
SYDNEY H. WATERLOW.
ALBERT PELL.
WALTER H. JAMES.
JOSEPH F. B. FIRTH. (²)
THOS. BURT. (³)

H. D. WARR, Secretary,
May 28*th*, 1884.

(¹) Sir Sydney Waterlow. (²) Signed subject to memorandum and observations at p. 76.

(³) Signed subject to memorandum at p. 88.

APPENDIX TO REPORT.

Notes on Legal Points connected with the Inquiry, viz.,—(1) the general law as to the charters of the Companies; (2) the effect, if any, on the legal position of the Companies should they prove to be guilds by prescription; (3) the effects which would follow from the cancellation (hypothetical) of the Companies' charters; (4) the law as laid down and acted on in Brown v. Dale (¹) with reference to the power of such bodies to dissolve and divide; (5) the application, according to the law of trusts, of the increment of the Companies' rents derived from their City house-property; (6) the operation of the doctrine of cy-près; (7) the right of the State to interfere.

A case was laid before Mr. Horace Davey, Q.C., M.P., and Mr. F. Vaughan Hawkins, barrister-at-law, consisting of the two above-mentioned documents prepared in the office of the Commission, viz., (1) the Preliminary Report,(²) which was drawn up before the returns were received; (2) the "Abstracts and Tables, with a Preface," which were drawn up after the returns had been received.(³)

These reports contained (1) a sketch of the history of the Companies of London, similar to that which forms a part of the foregoing report; (2) suggestions as to the above points; (3) abstracts of the reports of the Inspectors of Charities, with an account of the informations filed in Chancery by the Attorney-General against the Companies.

The attention of counsel was also directed to the questions put by the Lord Chief Justice of England to Mr. Longley (questions 350—359) with reference to the legal effect of the charters.

The following were the questions asked :—

(1.) Having regard to the facts above stated, and with special reference to the suggestion that the parts of the Companies' charters and byelaws which purport to create monopolies or to grant powers of search are respectively illegal and void, would it be possible to cancel the charters of the Companies by legal process? Are not the void franchises separable at law?

(2.) It has been suggested to us that the Companies, notwithstanding their incorporation by charters, are guilds by prescription, and therefore impossible to dissolve by legal process? Is this a tenable hypothesis?

(3.) What would be the legal effect of the cancellation (hypothetical) of the charters of the Companies as regards their corporate and trust property, real and personal?

(4.) Is there anything to prevent the Companies of London from dissolving and dividing as in Brown *v.* Dale? (⁴)

(5.) What is the present state of the law of trusts as regards the real property of the Companies which is held subject to charitable rentcharges? Did not the decision in Attorney-General *v.* Waxchandlers' Company (⁵) practically alter the law?

(6.) What is the state of the law as regards cy-près modifications of obsolete trusts; and are its results, in your opinion, satisfactory or otherwise?

(7.) Having regard to the facts stated in the accompanying reports, will Her Majesty's Commissioners, in your opinion, be justified in recommending that the State should assume control of the property and expenditure of the Companies to any, and what, extent?

(¹) L. R., 9 Ch. Div. 78.

(²) *See* Report, p. 1, supra.

(³) *See* Report, p. 7, supra.

(⁴) L. R., 9 Ch. Div. 78.

(⁵) L. R., 1 Eng. and Ir., App. 1.

ANSWER OF MR. DAVEY.

To Question 1. I am of opinion that it would not be possible to cancel the Companies' charters by legal process.

i. No doubt all franchises are granted upon conditions that should be duly executed according to the charter which settles the constitution, and if the Corporation fail to perform the terms of the patent, in the way either of misuser or abuser or non-user, it may be revoked by sci. fa.

(*a*) Vanacre's case (11 Will. III.), 1 Ld. Raym, 496, and *see* Year Books, 4 Ed. IV. 5.

(*b*) Rex *v.* City of London (3 W. & M.), Skin. 310, 4 Mod. 55.

But I think that under the circumstances, and having regard to the dates at which the most modern charters are granted, it would be held that the trade franchises, &c., were separable, and although these might be void or capable of being seized by the Crown in an action of *Quo warranto*, the non-user of them would not avoid the charters altogether.

It will be observed that there is no case in fact of the grant being on a false suggestion, and it might well be held that the grant of these franchises, which were known to be obsolete and incapable of being enforced or exercised, did not enter into the consideration.

The legal authorities are not very clear, but it seems that a charter may be repealed in part where no false suggestion is mingled with the consideration for granting the charter, and the clauses to be repealed are substantive and independent clauses, and do not influence and affect the whole of the charter.

(*c*) Lord Mulgrave *v.* Mounson, Freem. 17.

(*d*) Sackville Coll. case, T. Raym. 177.

ii. If it were sought to avoid the charter, &c., on the ground of the illegality of the provisions, and their prejudice to the subject, I apprehend that although sci. fa. is a writ of right where a charter operates to a subject's prejudice, an action by a private prosecutor would not under existing circumstances be entertained.

(*a*) *Vanacre's case.*—1 Ld. Rayn., p. 499, "the acceptance of the charter obliges the body politick to perform the terms upon which it is granted."

(*b*) *City of London case*, 4 Mod. 55.—Pemberton, Sergt. (arguendo): "A corporation is an artificial body constituted of several members, like a natural body; it is united by its franchises, and it is called a franchise by the very Letters Patent of Incorporation; for all corporations were made by Letters Patent or Acts of Parliament, though in some cases they prescribe to them, which in itself implies a former grant. If, then, this body politic be a franchise, or if the essential part thereof be made up and consist in franchises, then it seems plain that in all concessions and grants of franchises, there is a tacit condition implied in those grants that the persons to whom they are made shall use them justly; and it is such condition which, if broken, will determine the very grant itself. This is one way by which a corporation may be destroyed. So likewise for *mis-user* and *abuser*, the whole franchises are forfeited for ever. Now the proper remedy for the king to take advantage of such a condition broken is by a *quo warranto*, which is called "the king's writ of right," in which the supposed abuse of franchise is examined, and either the defendant is acquitted or the franchises *capiantur*, which is the final judgment."

(*c*) In Chancery. *Lord Mulgrave v. Mounson* (1 Freem., 17.)—The king leases a manor and mines, and withal grants that the lessee shall have the sole vending of alum, reserving out of the premises 10,000*l.* per annum to himself and 1,640*l.* per annum to the Lord Mulgrave.

The question was, whether or no this grant, being void for part, viz., the sole vending of alum, shall be void for the rest?

If it were in the case of a common person, it was held that it might be good for part and void for part, although the reservation was entire; as the Lord Chancellor put the case, if a man lease land and a stock of sheep, and all the sheep die, yet the rent shall continue.

But it was urged that the king is deceived in his grant, for here it is plain that he did intend to grant the sole vending of alum, which he could not do. But Sir J. King took a difference, where the king is mistaken in matter of fact, then his grant shall be void, but not where he mistakes the law, and cited the Lord Chandos's case, 6 Co., 55.

But the Court seemed to incline that the grant was void, it appearing upon the face of the grant, that the king was deceived in the very substance of the grant, and the rent being entirely being reserved out of the whole. *Sed curia advisari vult.*

Note.—Monopolies are restrained by the common law, *East India Co. v. Sandys, Skinner*, 165; and also are "against the liberty and freedom declared granted by Magna Charta, and divers other Acts of Parliament."

(*d*) Case of Sackville College, *T. Raym.*, 177, Tem. Pasch., 21, Car., 2., Cor. Sir John Kelying, C.J., Twisden, Ranisford and Morton, J.J. Per Twisden, J.: "This grant may be repealed in part, because it consists of things of several natures, and, as a patent may be good in part and naught in part, so it may be repealed for part and stand for another part."

To Question 2. Prescription is only another name for a lost grant. If there be an existing charter creating the corporation the fiction of the lost grant would be excluded, or the surrender of a previously existing charter would be presumed.

If the earliest charter known be an inspeximus charter, or charter of confirmation, a previous lost charter would be presumed, but it would, I should think, be held that it was in the terms of the charter of inspeximus or confirmation.

It is said that the proper mode of proceeding against a corporation by prescription is by *Quo warranto.*

To Question 3. Their corporate real property would, it is said, re-vest in the donors or their heirs.

Co. Lit. 13 *b.*

(*a*) Corp. Colchester *v.* Ashurst, 7 Q.B. 385,

though I should have thought the better opinion was that it would escheat to the Crown, as Lord Hale seems to have thought. 2 Bacon, Abr. 287.

The personal property would go to the Crown as *bona vacantia.*

The legal estate in lands held by the Company on charitable trusts would either vest in the heirs of the original donor or escheat to the Crown, but the charitable uses would, even in the latter case, probably be held to be saved by Stat. of Charitable Uses, 43 Eliz. c. 1. s. 7.

If the property of the Company is vested in trustees in trust for the Company, it would on a dissolution vest beneficially in the trustees; and as regards property vested in trustees upon any charitable trust, the dissolution of the corporation would not affect the title legal or equitable.

To Question 4. I agree with the decision in Brown *v.* Dale. The Court of Chancery has no jurisdiction to restrain alienation of corporate property by the members of a corporation created by charter, unless the property is subject to a trust.

(*b*) Corporation of Colchester *v.* Lowton, 1 V. and B. 226, overruling dictum in Rex *v.* Watson, 2 T. R., 199, 200.

See the following extract from Lord Eldon's judgment, p. 244.

"The relief now to be asked must therefore be upon quite a different principle, and though all the authorities upon what is not often the subject of consideration here have been most usefully brought forward, I have no doubt that independent of positive law as to the legal powers of a corporation, corporations, civil, ecclesiastical, or of whatever nature could in point of law alienate lands of which they were seised in fee, and the history of what corporations both aggregate and sole did before the restraining statutes is very useful. Civil corporations are at this day in the constant habit of making those alienations their title to make which is asserted by Lord Coke. In the course of my experience in this Court, of my present researches, and of my examination of authorities, which having had occasion to consider them formerly this cause has brought back to my recollection, nothing has occurred showing that there ever was a case in which this Court attached the doctrine of trust as applied under the words "corporate purposes" to the alienation of a civil or indeed of an ecclesiastical corporation. With regard to what was stated by Sir William Ashurst, a very respectable judge, and who I take this opportunity of saying was a very useful judge as a Commissioner in this Court, I do not lay down either that this is the subject of jurisdiction here as trust or of information in the Court of King's Bench. The opinion that this Court has jurisdiction is to be considered as the opinion not only of Sir William Ashurst, but of the whole Court of King's Bench, stopping upon that ground the argument upon the point as to the breach of trust. Sir Samuel Romilly has put it fairly that the Court is not to act upon the supposition that corporations are constantly abusing their duty by applying the property not to corporate purposes; but on the other hand, when a case is brought forward the Court is not to shut its eyes against the practice that has prevailed in all times, and the judgment upon it for speaking of corporate purposes though the most worthy that can be represented

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(*a*) Corp. Colchester *v.* Ashurst, 7 Q.B. 385. So hinted by Denman, C.J., in giving the judgment of the Court.

(*b*) Corp. Colchester *v.* Lowton, 1 V. & B. 226. Head note: "General right of corporations of whatever nature at law to alienate their lands held in fee, subject as to ecclesiastical corporations to the restraining statutes; and no instance of a trust attached upon the ground of misapplication, as not to corporate purposes, except the case of corporations holding to charitable uses.

has not that character, the use of the seal is equally improper and as much an abuse in a court of justice though not in moral consideration. As to what obtains for instance in the ecclesiastical bodies that have been mentioned, the bishop, the dean and chapter, &c., the statutes that leases for more than 21 years, or three lives, and not at the old rent or more shall be bad do not say that any lease shall be good which can be taken to be an abuse of those corporate purposes for which the property was held, and I apprehend that it would not be difficult now to find bishops' estates the old rent reserved being 50*l.*, and the actual estate worth 1,000*l.* or 2,000*l.* per annum. All the excess of that rent taken by the bishop himself, should, if he is a trustee, in a fair sense be taken from him by this Court, yet no such attempt was ever made where the corporation was not holding for charitable purposes. Even those corporations can alienate at law, but the alienee will be a trustee, and the jurisdiction in those cases must be regarded as a contrast to the other cases of corporations holding not for charitable but for corporate purposes, demonstrating that this Court shall not be called upon in the latter case as it is in the former."

There is no distinction at Common Law between one kind of corporation and another. Every corporation created by charter is a legal *persona*, and can do whatever it is not expressly restrained from doing. In this respect it differs from a corporation created for certain purposes by statute, the powers of which are confined to such as are expressly or by necessary inference or implication given by the statute. In short, there is no trust which the Court of Chancery can execute of merely corporate property as such. But there is a serious question whether a large part of the property claimed to belong to the Companies is not in fact held upon a charitable trust. *See* ex. gr. the charter discussed in the case of Attorney-General *v.* Fishmongers' Co. (2 Beav. 588; 3 My. & Cr. 16.)

There are indeed expressions in various cases that corporations hold property and franchises upon a trust.

See ex. gr.
Per Holt. Rex *v.* City of London, Skin. 310.

Vanacre's case. 1 Ld. Raym. 496.
Sir James Smith's case. 4 Mod. 53.

But I apprehend that the word trust in not used in these cases in its strict technical meaning, but in a popular sense, and the only remedy for non-user, abuser, or misuser of the franchises of a corporation is to repeal the charter, or to seize the franchises. And there seems to be no remedy for the application of property to non-corporate purposes, provided the act be the act of the corporation.

To Question 5. I do not think the law was altered by the *Wax Chandlers' case.*

The law may be simply stated, though the application of it to any particular case involves questions of difficulty,

(1.) Where the testator or donor apportions the whole income out to various charities, and by that means exhausts the whole income, the different objects will take the increased income in the same proportions.
Thetford School case. 8 Co. 131.

(2.) Where specified sums are given to certain charitable purposes, and the residue is given as such to another charity, or to certain persons, or where lands are given to feoffees upon trust to pay certain specific sums and the residue is undisposed of, or lands are given subject to payment of specific sums, the charitable objects can only have the specific sums and the feoffees or devisees or residuary cestuisque trust take the whole increase.
Attorney-General *v.* Dean and Canons of Windsor, 8 H. L. Ca. 369.
South Molton *v.* Attorney-General. 3 H. L. Ca. 1.

(3.) Where certain specified sums are given to charitable objects, and the residue is devoted to a purpose which is not for the benefit of the trustees or devisees but of the persons entitled to the property generally, the charities take the increase.
Attorney-General *v.* Wax Chandlers' Co. L. R., 6 Eng. & N., App. 1.
Merchant Taylors' Company's case. L. R., 6 Ch. 512.

To Question 6. The Betton Charity Case (reported as Attorney-General *v.* Ironmongers' Co., 2 My. & R. 576, 586, Cor. Lord Brougham, Cr. and Ph. 208, Cor. Lord Cottenham) is the strongest instance of the application of the doctrine of cyprès. The latest case is that of (*a*) Campden's Charities, L. R., 18 Ch. D. 310. The principle of the doctrine is well stated by Lord Westbury (*b*) in Clephane *v.* Lord Provost of Edinburgh, L. R., 1 H. L. Sc. 417.

A distinction may be made between cases where the Court simply finds a new means of attaining the old end, *ex. gr.*, substituting technical education for apprenticeship premiums, the old means having become obsolete, and where the end has failed or the fund has become too large for such application, and the Court apparently discovers a new end, as in the case of the Betton Charity. But in either case the Court is professedly carrying out the founder's instructions, and executing the trusts declared by him as nearly as changes of circumstances will permit.

The question whether the result of the application of the cy-près doctrine is satisfactory or not suggests considerations of importance.

I should in the first place say that in my opinion about one half of the charities of this country are useless or positively mischievous, and the other half, owing to the want of organization and combination in their administration, do not produce half the good results which might be looked for.

I think that the Court of Chancery, as a court of administration, has in framing schemes dealt with charity property in a wise and liberal spirit, and gone as far in the application of the cy-près doctrine as could fairly be expected. The Court has always recognized the effect of changes in the circumstances of the times, and in public opinion, but still the Court is bound by the founder's will, and even in the most extreme cases of the application of the cy-près doctrine is, as I have already said, professedly carrying out the founder's intention. Legislation is necessary for any radical change in the administration of charities. The legislative changes which I should recommend are in outline the following :—

(1.) I think that the legal doctrine against perpetuities should be applied in a modified form to charities. No founder should be allowed to prescribe for all time the purposes to which his property shall be applied, and thus to create a perpetuity in the case of charitable trusts which the law does not permit in the case of any other trusts. I do not mean that the property should cease to be devoted to charity, but I think that after (say) 50 years, or at most 100 years, it should be applicable to any charitable purposes, without regard to those specially prescribed by the founder.

(2.) The Charity Commission should be invested with large judicial as well as administrative functions, and should be strengthened more particularly on the judicial side.

(3.) With regard to educational charities in particular, I think that an attempt should be made to introduce a more systematic management and some unity of purpose into their administration. In a word, educational charities generally should be treated as a whole. I ought to say that I do not see the force of the objection which is frequently urged against the application of educational endowments in the aid of elementary education on the ground

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(*a*) *Campden's Charities.*—L. R., 18 Ch. D. 310. A sum was left in 1643 to buy lands of the value of 10*l.* to be applied half to the relief of the poor and needy of good life in the parish of Kensington, half to apprentice one or more boys of the parish. At the date of the case the rent was 2,000*l.* The Charity Commissioners settled a scheme, appropriating the income to the following objects :—(*a*), the relief of poor deserving objects of the parish, in case of sudden accident, sickness, or distress ; (*b*), subscriptions to dispensaries and hospitals in the parish ; (*c*), annuities for deserving and necessitous persons who had resided seven years in the parish ; (*d*), the advancement of the education of children attending elementary schools ; (*e*), premiums for apprenticeship and outfits for poor boys of the parish ; (*f.*), payments to encourage the continuance of scholars at public elementary schools above the age of 11 years ; (*g*), exhibitions at higher places of education ; (*h*), providing lectures and evening classes.

Held by the Court of Appeal (reversing Hall, V.C.) that this was a justifiable cy-près application, and that the scheme of the Charity Commissioners ought to be confirmed.

(*b*) *Clephane* v. *Lord Provost of Edinburgh.*—L. R., 1 H. L. Sc. 417. Per Lord Westbury : "In both "countries this principle has prevailed, viz., that there shall be a very enlarged administration of charitable trusts. "You look to the charity which is intended to be created ; and you distinguish between it and the means which "are directed for its accomplishment. Now the means necessarily vary from age to age. Take a charity, such "as the present, for the relief of the poor. The condition of the country, or of the locality, may have dictated "what were at the time very convenient means for its proper application. In the progress of society, however, "with the greater diffusion of wealth, and the growth of population, the means originally devised may become "inadequate to the end, and courts of equity have always exercised the power of varying the means of carrying "out the charity from time to time, so as to secure more effectually the benefits intended."

that to do so is to relieve the ratepayers and not the poor. These charities are not eleemosynary, and should, I think, be considered public property devoted to education, and I see no reason why the ratepayers (that is, the public generally), are not entitled to have the funds so applied, although the effect may be to relieve them to a certain extent from payment of the school rate or from the annual grant made by Parliament. I think that a considerable portion of the educational endowments should be applied towards the maintenance of elementary schools. But the most useful way in which the State can employ those large funds is as a means of selecting those children amongst the poorer classes who are likely to profit most by a higher education, and of giving them that higher education which would otherwise be beyond their means. This might be accomplished by establishing a system of exhibitions or scholarships, to be given as the reward of merit in successive public schools, and by establishing public schools of ascending grades ending in the Universities, through which those children who most distinguish themselves by industry and ability should pass. I am glad to say that in the schemes which were framed by the Endowed Schools Commissioners and which are now framed by the Charity Commissioners under the powers of the Endowed Schools Act, this idea has been carried out so far as their limited powers enabled them to do so.

(4.) With regard to non-educational charities, I should like to see them applied as far as possible for public purposes which tend to the physical, moral, and intellectual improvement of the people, but which, from their cost, cannot be provided by the people for themselves, and for the most part are beyond the reach of individual charity. I give the following as an illustration only of what I mean:

(*a.*) Picture galleries and museums.
(*b.*) Public libraries.
(*c.*) Public baths.
(*d.*) Providing and maintenance of public parks and playgrounds.
(*e.*) Hospitals.

(5.) I think that the charities should bear the expenses of the Charity Commission.

To Question 7. In my opinion the Commission will not be justified in recommending that the corporate property of the Companies should be taken from them by the State. I think that such an act of the Legislature would be an act of confiscation, and would not unreasonably shake the confidence of the owners of property in the security of rights of property. It must be remembered that the estates of these Companies have been recognised and held by the courts of law to be as much their property, with a full right of disposition, as the property of individuals. But having regard to the history of the origin of these Companies, and to the fact that they were established for the promotion of trade (*see* Lord Coke in the City of London's case), and for public as well as private purposes, I see no reason why legislation of a less drastic character should not be applied to them.

To explain my meaning, I should state what I conceive to have been their ancient position.

I think that the companies must be considered to have been constituent and integral parts of the Municipal Corporation of the City of London. This is shown by the facts (which have been stated); (1) That no person could be a freeman of the City who was not a member of one of the companies; (2) That the constituency called the Common Hall which elected, and (I believe) still formally elects, the Lord Mayor, was composed of the liverymen of the Companies; (3) That liverymen, as such, enjoy the Parliamentary franchise for the City, subject to certain conditions of residence imposed by statute; (4) That the old mode of raising money in the City was by the Corporation apportioning the sum required between the Companies, and issuing a precept to the Companies to raise their quota from their members (*see* in the Skinners' *v.* Irish Society, 12 Cl. & F.)

The nearest analogy to the position of the Companies relatively to the Corporation appears to me that of the relation between the colleges and the Universities of Oxford and Cambridge. It may have been an encroachment to confine the freedom of the City to the members of the Companies (as the like process in the case of the universities undoubtedly was), but it seems to have been acquiesced in and accepted in historical times.

It is not for me to suggest the details of any recommendations which the Commission may think fit to offer to Her Majesty, nor have I sufficient information, nor have I been able to give sufficient thought to the subject, to enable me to do so; but speaking generally, I think that these Companies may fairly and properly be called on to make large annual contributions towards the public, or what, if there were a municipal corporation, I should call the corporate purposes of the whole metropolis. I also think that a sufficient *primâ facie* case is made out to justify the Commissioners in recommending that a considerable portion of the property of the Companies should be declared to be charitable property in addition to such property as is admitted to bear that character. The lapse of time and loss of title deeds in the Great Fire and otherwise have rendered a strict investigation of the titles of the Companies to their property impossible, but I think that a definite proportion might be declared to be charitable. In the meantime, I think the Companies should be restrained from alienating their property without the consent of the Home Office.

ANSWER OF MR. HAWKINS.

To Question 1. Such parts of the charters as purport to give powers of exclusive trading (beyond what is justified by City customs), or of search, forfeiture of goods, &c. are no doubt illegal and void. (*a*) Waltham and Austin's case, cited in 8 Coke, 125a; 11 Coke, 86a (*b*); (*c*) Clothworkers' Company of Ipswich's case, Godbolt, 254; Norris *v.* Staps, Hobart, 211 (*d*) But a charter may be good in part and bad in part (per C. B. Hale, T. R. 177), and I (*e*) think it would be held that the incorporations of the Companies were separable from the illegal clauses and were valid. So held as to the East India Company, *see* E. I. (*f*) Company *v.* Evans, 1 Vern. 305, and the Dyers' Company, *see* Callis, 223.

(*a*) *Waltham and Austin's* case (8 Coke, 125a):

From the City of London case.

"And, therefore, in the Fifth Part of my Reports, Trin. 41 Eliz., between Waltham and Austin in Communi Banco, the case was that King Henry VI. granted to the Corporation of Dyers in London power to search, &c., and if they found any cloth dyed with logwood that the cloth should be forfeited; and it was adjudged that by the patent no forfeiture can be imposed on the goods of a subject, and, therefore, *in hujusmodi casubus fortior et potentior est vulgaris consuetendo quam regalis concessio.*"

(Serjeant Hill says in a note that the case of Waltham and Austin cannot be found.)

(*b*) *Davenant and Hurdis* (11 Coke, 86a):

From the case of monopolies.

"And a case was adjudged in this Court in an action of trespass inter Davenant and Hurdis, 41 Eliz. Rot. 92., where the case was that the Company of Merchant Taylors in London, having power by charter to make ordinances for the better rule and government of the Company, so that they are consonant to law and reason, make an ordinance that every brother of the same society who shall put any cloth to be dressed by any clothworker, not being a brother of the same society who exercised the art of a clothworker, upon pain of forfeiting ten shillings, &c., and to distrain for it, &c.; and it was adjudged that the ordinance, although it had the countenance of a charter, was against the common law, because it was against the liberty of the subject: for every subject, by the law, has freedom and liberty to put his cloth to be dressed by what clothworker he pleases, and cannot be restrained to certain persons, for that would in fact be a monopoly."

(*c*) Pasch. 12 Jacobi.
Clothworkers of Ipswich case (Godbolt, 254):

Action by the master and wardens to recover a penalty against a tailor, who was not a member, for practising his trade. Action brought under one of the Company's ordinances. "And it was holden by the whole Court "that the said ordinance was unlawful; and it was agreed by the Court, that the King might make corpora-"tions, and grant to them that they may make ordinances for the ordering and government of any trade, but "thereby cannot make a monopoly, for that is to take away free trade, which is the birthright of every "subject."

(*d*) Pasch. 14 Jac., Rot. 907.
Norris v. *Staps* (Hobart, 211):

Debt, Norris and another, guardians, and the Fellowship of Weavers of Newbury, against Staps, for the recovery of a penalty (pursuant to one of the ordinances of the community settled in the reign of Elizabeth) for practising the art of weaving without belonging to them. Held, that this ordinance was settled and received the consent of the Crown subject to the common law, and was bad at common law, because these corporations have no power to prevent externs from carrying on the business carried on by the members of them.

(*e*) *Per C. B. Hale* "*Teste Rogo*" 17.

(*f*) *East India Co.* v. *Evans* (1 Vern. 305) (1684):

In this case, the East India Company, setting forth their letters patent, sought to compel Evans and others, merchants trading in India, to make contributions to their expenses. The defendants demurred on the ground that they were free merchants, setting forth the 9 and 18 Edw. 3 and the 21 James 1 Acts, against restraining trade. The Court held, that though clauses in charters to restrain trade under forfeiture had been often declared void, yet it did not follow that the East India Company's charter was bad altogether, and it might prove that the Defendants were bound to make the alleged contribution. They consequently overruled the demurrer.

Dyers' Company's case, Callis 223.

To Question 2. I am not sure whether I understand this question.

The Companies are, I believe, incorporated by known charters, and are not, therefore, corporations by prescription. They may have some prescriptive rights or privileges which belonged to them as guilds before incorporation, but their power of holding property must be derived from the charters. As mere guilds or fraternities they could not, at any rate, hold land at the present day.

To Question 3. If a corporation be dissolved, (1) the corporation property not *subject to any trust*, so far as it is real estate and *vested in the corporation* itself (not in trustees), reverts to the heirs of the grantor, or, failing such, escheats to the Crown, and, so far as it is personal estate, falls to the Crown as *bona vacantia.*

But as trusts of land do not escheat, real estate vested in trustees upon trust for a dissolved corporation would belong not to the Crown, but to the trustees beneficially.

(2.) The corporate property subject to any trust of a charitable or public nature is not affected by the dissolution of the corporation, save that new trustees would be required.

The Crown claiming by escheat (as well as the heir of the grantor) would be bound by the charitable use, under the 43rd Elizabeth c. 4. (Sir F. Moore's Exposition in Duke's Charitable Uses, pp. 160–162.)

To Question 4. I do not know how a Company incorporated by charter could be prevented from dividing its assets among the members if they all agreed, unless its property is subject to a trust.

(*a*) But trusts of a very general nature would be enforced by the Court. *See* (ex. gr.)

Attorney-General *v.* Carlisle, 2 Sim. 437.

Corporation of Limerick *v.* Attorney-General, Beattie, 563, s.c. 6 Dow. 136.

Attorney-General *v.* Corporation of Shrewsbury, 6 Beav. 220.

Looking to the terms of the early charters of the larger Companies as regards the powers conferred of holding land in mortmain (so far as I can judge from the extracts I have seen), it appears to me that they are sufficient to create a charitable trust as regards the real estate acquired or held under the powers of those charters. (*See* the words of the Fishmongers' Charter, Preston's case, 2 Beav. 588, 5 My. and Cr. 16, "in "auxilium sustentationis pauperum hominum et mulierum mysteriæ et communitatis "prædictarum in perpetuum.")

The Mercers' Charter of 17 Rich. II. (1st Rep. 85, 86) is very distinct, and reads like an incorporation for charitable purposes. The lands which have been at any time held under the powers of these charters seem to me, as at present advised, to be charity property.

See similar trusts in Skinners', Goldsmiths', Grocers', Vintners', Tallow Chandlers', &c. Charters.

It would be material to examine in connexion with the charters the deeds and wills by which the trustees for the Companies (such as Preston in the Fishmongers' case)

(*a*) *Corporation of Limerick* v. *Attorney-General.* 6 Dow. 136.

Attorney-General v. *Carlisle.* 2 Sim. 437.

Attorney-General v. *Shrewsbury.* 6 Beav. 220.

(1.) The general result of these cases may be summed up in the words of a decision quoted in one of them: "I am of opinion that funds derived from the gift of the Crown, or from the gift of the Legislature, or from "private gift, for paving, lighting, cleansing, and improving a town, are, within the equity of the statute of "Elizabeth, charitable funds to be administered by this Court." Lord Eldon differed as to the Statute of Elizabeth applying, but thought that the Court of Chancery had, by its original jurisdiction, a right to see that the money was spent on such objects.

(2.) The third case was decided by Lord Langdale in 1843. The Crown had granted to the Corporation of Shrewsbury, as a reward for services against the Welsh, certain tolls for the preservation of the Welsh bridge over the Severn belonging to the town. The Corporation continued to receive the tolls and to keep the bridge in repair till 1789. In this year it became necessary to rebuild the bridge, and at the same time it became desirable to widen the bridge and to abolish the tolls. In 1792 the Corporation agreed to abolish the tolls in consideration of the sum of 6,000*l.* odd which was raised by subscription. Of this they applied 4,000*l.* towards rebuilding the bridge. The question arose with respect to the residue, now 2,176*l.* stock. The Corporation wished to pay the sum to their former clerk as compensation. Lord Langdale held that the Crown gift was for a public and general purpose; that it was given for the benefit of the town in aid of a general charge or burden to which the burgesses and the inhabitants of the town were liable; and that it was a gift which, even under the equity of the Statute of Elizabeth, ought to be considered a gift to charitable uses. He therefore held the 2,716*l.* to be trust money.

dealt with the property vested in them; the Companies probably appropriated to the purposes mentioned in the charters more land than the amounts specified therein, and wills devising lands to the Companies under the custom of London ought also to be considered in the same connexion, *e.g.*, if a testator devised land to a Company whose charter was such as that of the Mercers' of Richard II. it appears to me to be a question whether that would not be a devise to them for the purposes mentioned in the charter, *i.e.*, for charitable purposes.

N.B.—There was no custom by which the Companies could acquire land except by will.

In the Fishmongers' Company's cases (*a*) (2 Beav. 151, 588, 5 My. and Cr. 16), the effect of the Charter was not properly brought out. The suit in Preston's case was based on the mistaken notion that Preston was a benefactor and not a mere trustee for the Company, and failed accordingly. But Lord Langdale (2 Beav. 603) admits that the words of the charter and will are sufficient to create a trust. It was considered that there was a superstitious use paramount to the Company's original interest, which enabled the Crown afterwards to grant the property free from any trust. *Sed qu.*

The later licenses are said to be general, but of course a license in mortmain must be distinguished from mere words of incorporation "able "and capable in law to hold lands, &c." which are not a license in mortmain. *See* the Charter of James I. to Leathersellers' Company (Black's History of Leathersellers' Company), after which they are said to have got a liense with difficulty.

As to the large Crown grants by Edward VI. and James I. to the Companies (*see* the private Act of 4 James I., p. 157, of 2 Beavan in Kneseworth's case) it may be true that taken alone they do not impose trusts which the Court could enforce; (*b*) but looking to the recitals of the Act of 4 James I. and the return to Edward VI.'s Commissioners it seems not too much to say that these grants were made upon the representation that the income of the lands granted had been in the past wholly applied to charitable uses, and in the expectation that it would in the future be so applied.

These (Fishmongers') cases (like others of the period 1833–53) show, I think, a leaning of the Courts in favour of the Companies, probably because suits were brought by relators to make costs. The Charity Commission altered this.

(*a*) *The Fishmongers' Company's cases* (Cor. Lord Langdale, M.R., and Lord Cottenham, C.):

The passage to which Mr. Hawkins alludes is as follows: per Lord Langdale; "We are now at the distance of 400 years from the time when the transaction took place, and it is very difficult, if not impossible, satisfactorily to explain every particular of the whole transaction; but I am of opinion, that after so long an uninterrupted usage anything which seems ambiguous ought to be presumed in favour of the Company's title. I think that Preston was only a trusteee for the company; and although the words of the charter and of Preston's will, which in my view must be taken as made with the concurrence of the company, *import such a trust as might be executed by this Court*, yet the trust could only attach upon the surplus which remained after satisfying the specific charges, and in this case, with such reason to think that at the time when the transaction took place, the value of the property did not equal the charge, without any evidence that the value had increased before the grant of King Edward VI., and with an uninterrupted use of the property, as belonging to the company for a period of nearly 400 years, it appears to me, that I ought to presume that the charges to which the Crown became entitled, and which were granted to the company, were equal to, if they did not exceed, the whole value of the land; and under these circumstances I am of opinion that by the grant and subsequent statutes of James I., the estate became the property of the company."

(*b*) *Private Act of* 4 *James I.*:

"Whereas, in times past divers messuages were devised, in fee simple, to the use of *divers companies of the City of London*, who for divers years *had enjoyed the same and employed them to the comfort of many good subjects, and great relief of the poor, and other good and charitable uses*; that many of the same devises had theretofore been sought to be avoided, and the lands to be evicted, and the King to be entitled thereunto, as concealed or unjustly detained from him; yet His Majesty, taking knowledge of the several compositions made, and great sums of money thereupon paid for the same, both in the time of King Edward VI. and of Queen Elizabeth, *and of the good and charitable employment of the said lands*, and especially taking knowledge of the Letters Patent of King Edward VI., dated the 14th day of July in the fourth year of his reign, whereby in consideration of 18,744*l*. 11*s*. 2*d*. the King granted to *Augustine Hinde*, *Richard Turke*, and *William Blackwell*, and their heirs, divers rents, annuities, pensions, and annual profits issuing or employed out of divers messuages and lands of several companies of the City of London therein stated, and, amongst others, of the warden and commonalty of the mystery of the Fishmongers; and that since such grant, questions had been moved, whether the rents mentioned in the grants, or the messuages and lands whereout those rents were mentioned, in the same grants to be issuing or employed, were concealed or wrongfully detained from the Crown, and both for the one and the other divers compositions theretofore made: THEREFORE for the taking away of all doubts and questions, the King, minding that the lands and hereditaments mentioned in the grant should be so assured and established, as that the same should remain and continue to the companies and their assigns, and to their uses, trust, and confidence for ever, It would require a consecutive examination of the various charters, wills, and deeds of the Companies and their minutes of court (as it seems to me) in order to judge what proportion of the corporate property of the Companies is (either by appropriation or gift) really trust property held for charitable purposes of the kind specified in the early charters; and probably the Great Fire and other circumstances make the task practically an impossible one. That some part of it is such, is, I should think, capable of proof. Looking to the nature of the wills of the pre-Reformation and other donors, and to the partly charitable object (as I conceive) of these Companies, I should think the proportion would be a large one, but this is a matter of opinion.

To Question 5. This is a question of interpretation on the language of the instrument of donation.

If the donor gives out of the rents of an estate specific sums (not exhausting the annual value of the lands at the time of the gift) to charitable uses, and gives the residue or surplus of the rents to the Company to whom he has devised the legal estate in the property, or makes no disposition of them, *primâ facie* the Company would be entitled to the surplus rents (be they more or less) after payment of the specific sums, and there would be no proportionate augmentation (or diminution), (*a*) A. G. *v.* Skinners' Company. 2 Russ. 438; (*b*) A. G. *v.* Mayor of Bristol, 2 Jac. & W. 313; Mayor, &c. of South Molton *v.* Attorney-General, 5 H. of L. cases, 1 (*c*).

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was pleased that it should be enacted, and it was enacted by Parliament, that all such messuages, lands, rents, and hereditaments as had been theretofore devised to any of the said companies, and which lands, tenements, rents, and hereditaments were mentioned or named in the Letters Patent of Edward VI., should and might forever thereafter be lawfully held, and retained by the said companies for ever, against the King and his heirs and successors, without any rent account or other profit to them to be paid for the same, any defect in the Letters Patent notwithstanding, saving the rights of any persons, other than the King, his heirs, and successors, and those claiming under him or them, and not claiming under the companies."

(*a*) *A.-G.* v. *Skinners' Company* (2 *Russ.* 438):

Sir J. Judd, by his will dated in 1558, after reciting that he had erected a free grammar school at Tonbridge, did, for the maintenance and continuance thereof, give unto the master and wardens of the Skinners' Company various messuages, specifying their respective values, which amounted in the whole to 60*l.* 13*s.* 4*d.*; then proceeding to direct how the rents should be applied, he ordered—

20*l.* to master.
8*l.* to usher.
To visitation by company 10*l.*
To almsmen, coals, and renterwarden, 30*s.*
Residue to repairs.
" *Overplus to use and behoof of the Skinners' Company, to order and dispose of at their own will and pleasure.*"

Held, that the Skinners' Company were entitled to the rents and profits of the remainder of the premises mentioned in the will for their own use and benefit, subject only to the payments to the almsmen and renterwarden, to the payments for coals, and to contributions towards the expenses of repairing such parts of the premises used for a school as had been originally erected for that purpose, as well as towards an increased sum of 200*l.* yearly allowed to the company for the expenses of visiting the school.

(*b*) *Atty.-Gen.* v. *Mayor of Bristol* (2 *Jac. & W.* 294, 1820):

Lord Eldon. "This case comes before me on an appeal from an order of the Vice-Chancellor, overruling a demurrer to an information and bill, filed by the Attorney-General. The information states that Sir Thomas White, being desirous of benefiting the inhabitants of the **towns and corporations after mentioned*, about the year 1566, paid to the mayor and corporation of Bristol, 2,000*l.* upon trust *to purchase* lands, &c. of the *then clear yearly* value of 120*l.* and upwards, to be settled as mentioned. It then recites that part of the 2,000*l.* had been laid out in the purchase of lands of the value of 76*l.* Now the property has increased very considerably in value, and the Attorney-General contends that the increased value ought, somehow or other, to be applied for the benefit of the various corporations before mentioned, *and that the surplus, above the particular fund specified and directed to be paid to each corporation, ought not to be retained by the corporation of Bristol; but that these respective sums should be increased in certain proportions, formed upon the ratio which the sums specified bear to what was the value of the land at the time, and that all these corporations, to the amount of twenty-three besides the corporation of Bristol, ought to partake in the surplus.*

* Bristol, Newcastle, York, St. John's College, Oxford, &c.

The judgment is a remarkable one. Lord Eldon comments on the long period of adverse possession (250 years), on the absence of evidence as to what course had been pursued by the corporation during that time, viz., as to whether the corporation had ever admitted the claim of the beneficiaries, and bases his judgment on the terms of the devise *simpliciter*, every clause of which he examines. He then adverts to the early authorities, the *Sutton Colefield* case (Duke on Charitable Uses, 28), the *Thetford School* case (*ib.* 71), which appear to lay down that when the whole fund or rents are distributed by the donor between the cestuisque trust in the instrument by which the trust is constituted, there the increment goes in proportion to the cestuisque trust. He concludes: "Then the question comes to this at last, taking the whole deed together, seeing that it is a " case in which the value at the time was more than was distributed at the time, and in which the increase and " decrease in value is regulated by a special provision, and recollecting that there is not one single case, at " least I have not been able to find one, where the doctrine in the Thetford case has been applied, except " where the value, or what was represented to be the value at the time, has been distributed at the time, and " recollecting that Bristol was a material and prominent object of the bounty of the author of this gift, is this " not a case which falls within the range of those cases in which property given to a corporate body is given " to it subject only to the charges imposed and not as a mere trustee?"

(*d*) But it may be inferred from the expressions used (on the principle expounded by Sir W. Grant in Page *v.* Leapingwell, 18 Ves. 463) that the donor was contemplating a certain surplus only, and that the Company and the other objects were intended to take in certain proportions, and in such a case there would be a proportionate augmentation (or diminution) (*e*) A.-G. *v.* Drapers' Company,* 4 Beav. 67; (*f*) Mercers' Company *v.* Atty.-Gen., 2 Bligh N.S. 165.

(*g*) The Wax Chandlers' Company case did not really alter the law, though it may have weakened or destroyed the authority of some doubtful cases belonging to the 1833–53 period, *e.g.*, A.-G. *v.* Cordwainers' Company, 3 My. & K. 534; A. G. *v.* Coopers' Company, 3 Beav. 29; A.-G. *v.* Grocers' Company, 6 Beav. 526.

To Question 6. I think the doctrine of cy-près ("as near as can be,") fetters the court, and that the results are not satisfactory.

The strict rules for applying this doctrine, as Lord Cottenham's rule in Ironmongers' Company case, Cr. & Ph. 208, that you are to look to other charitable gifts in the will only for the mode of application, and not for the objects, or Lord Eldon's elaborate scale in A.-G. *v.* Wansey, 15 Ves. 231 (a gift to two poor Presbyterian boys living in A. parish, where he held you were to reject (1st), the number; (2), the parish; (3), the sex; (4), the denomination), are not always observed in practice; still, I think in most cy-près schemes some beneficial provision is not inserted for fear of not being quite sufficiently cy-près.

I think the better course would be, to leave the court or body which has to make the scheme free to make such a scheme as circumstances may require, leaving it to a court of appeal or to Parliament to reject or correct the scheme, if it considers there has been an amount of change which is unreasonable.

(*c*) *Mayor, &c. of South Molton* v. *Attorney-General* (5 H. of L. C. 1). Head note:

"It is a question to be determined by the particular words of each will, whether a gift of 'surplus or 'residue' means surplus or residue properly so called, or a mere proportional share of a particular fund. Where, after the gift of a fund charged with certain payments, the words were 'and the overplus which the 'said, &c. do produce more than all these disbursements do amount to (which I compute at 60*l.*),' they were held to mean surplus, and not a proportional share."

Per Lord St. Leonards: "Take any of those modern cases which have been referred to, in which, in point of fact, there was no gift of the residue, but a gift to a particular body, a college for example, for the benefit of that college, and to certain persons belonging to that college, or to certain poor persons, the objects, ultra that college, being confined to particular sums and persons named. In such cases the question has arisen, What is the meaning of that? It is a gift to the college and to the particular objects. Suppose, for example, the bursars are to have 10*l.* a year given to them; the rents have increased greatly; are they not to take any increase, in the like proportion, with reference to the original gift, with the body of the college? After a considerable struggle with the courts below, the Court of Appeal has in every instance confined the particular objects to the sums specifically given, and left the bulk of the property with the full increase to the body to whom no particular sum was given. So that in all these cases, there being no gift of the residue, as residue, but only a gift of the property to the body, the whole residue has been held to vest, however large the income, in the college, for example, and without any right to any increase on the part of the particular objects of the bounty of the testator."

Lord Brougham states that this is clearly settled law.

(*d*) *Sir W. Grant in Page* v. *Leapingwell* (18 Ves. 463):

"Collecting the intention from the will itself, I say, the testator meant, not an indefinite surplus, but a precise legacy to a certain extent, with a chance of something more."

(*e*) *A. G.* v. *Drapers' Company* (4 Beav. 67.):

Kendrick's Charity. Kendrick bequeaths to the Company a sum to purchase lands of the clear annual value of 100*l.*, and gave 96*l.* to the charity, and "the residue of the said sum of 100*l.*, being 4*l.*, to the "Company for their pains." Held, that all the objects were entitled rateably to the increased rents.

(*f*) *Mercers' Company* v. *Atty.-Genl.* (2 Bligh N.S. 165.):

By deed executed in 1616, conveyance to certain persons of land leased at 150*l.* for 41 years. By deed of same date these persons constituted trustees for Mercers' Company, grantees to pay the 150*l.* to master and wardens, and master and wardens to pay 149*l.* 11*s.* to specific objects, including their poor, 9*s.* thus remaining unapplied. In 1817 the rent was 1,000*l.* The Mercers' Company then applied 521*l.* 2*s.* to the payments, and carried the residue to general income. Held, that this was wrong, and that the Company was only entitled to share in the increased rent in the proportion borne by 9*s.* to 150*l.* Lord Eldon was consulted, and considered the decision consistent with Atty-Genl. *v.* Corporation of Bristol.

(*g*) *A.-G.* v. *Cordwainers' Company* (3 My. & K. 534.):
A.-G. v. *Coopers' Company* (3 Beav. 29.):
A.-G. v. *Grocers' Company* (6 Beav. 526.):

These are cases, like the Wax Chandlers' case, in which Mr. Hawkins with Sir G. Jessel represented the Attorney-General (Lord Coleridge).

Lord Chelmsford distinguishes the cases mentioned by Mr. Hawkins. The judgment of Lord Cairns had been cited by Sir R. Cross in questioning some of the witnesses.

To Question 7. I should not recommend that the property of any persons should be taken from them by the State; but the State may perhaps be justified in interfering where the law is defective, to secure that property shall be applied to the purposes for which it was really intended.

The objects of the Companies (so far as my information enables me to judge) seem to me to be partly obsolete, partly of a mixed social and charitable nature, but with the charitable element predominating, and distinctly impressed on their real estate by the early charters. The constitution of these bodies descends from a time when public and private purposes were not perhaps in law quite accurately discriminated. The titles of and the trusts and obligations affecting their property seem to be so intermixed and complicated that probably no one could say how much of it ought to be considered as legally trust property; but the great bulk of their acquisitions, both by will and Crown grant, have, I think, been given to them in their character of trustees on a large scale for charitable purposes, and, in fact, as a mode of giving to charity.

Then it is suggested that the existing members of these bodies might wind up and divide the assets between themselves, and they claim the legal right, even if they disclaim the intention, to do so. Such a claim, I confess, hardly accords with my sense of justice; and it does not seem to me unreasonable, if, as appears to be the case, it can be done without injury to the reasonable pecuniary claims of any individual, that the State should interfere so far as to declare that some proportion (say that which is now actually applied in charity) of the income and property of these anomalous semi-charitable incorporations should be considered in law to be property held for charitable or public uses, and should be applied accordingly, either in promoting technical or other education, or for the general benefit of the inhabitants of the metropolis, or in some other manner.

"DISSENT" REPORT.

TO THE QUEEN'S MOST EXCELLENT MAJESTY.

May it please Your Majesty,

We, the undersigned Commissioners appointed by Your Majesty to investigate the affairs of the Livery Companies of the City of London, humbly present to Your Majesty the following Report.

A minority of the Commissioners dissent from the conclusions of the majority.

We regret that, as the result of an inquiry in every stage of which all Your Majesty's Commissioners have cordially co-operated, it should be necessary for us to record our dissent from the conclusions arrived at by our colleagues. We have, however, carefully considered their Report, and we find ourselves unable to agree with it in several important particulars.

Brief statement of the conclusions of the minority.

Under these circumstances we conceive that we shall best discharge our duty to Your Majesty by briefly stating the conclusions which we have ourselves formed with regard to the several heads of Your Majesty's Commission.

Heads of Commission.

These heads relate (1) to the foundation and object of the Livery Companies of the City of London; (2) to the constitution of these companies, and the privileges enjoyed by those who are members of them; (3) to the salaries paid by the companies to their officers and servants, and the mode in which these persons are appointed; (4) to the sources of their corporate and trust income, the capital value of their property, their administration of it, and the mode in which the income arising from it is expended; (5) to the question of an alteration in the constitution of the companies should any three or more of the Commissioners consider an alteration "expedient and necessary."

Foundation and object.

Misconceptions as to the origin of the Companies.

1. As regards the circumstances under which the City Companies were founded, we are of opinion that at the time when Your Majesty was pleased to issue this Commission some misapprehension prevailed. It was supposed that the companies had till recent times consisted of members of the trades the names of which they bear, (¹) that the objects of their foundation had been the organisation of these trades, and that their present condition, which is that of societies having for the most part only a nominal connection with these trades, where such still exist—and many are known to have become obsolete, or to have disappeared from London—is one different from their former condition. The researches of archæologists and the passages in the returns of the companies relating to their early history (²) seem to point to a different conclusion.

Early guilds.

The companies of London prove to have sprung from a number of guilds, which were associations of neighbours for the purposes of mutual assistance. Such associations were very numerous in the Middle Ages, both in town and country, and they appear to have abounded in London at a very early period. A "frith guild" and a "knighten-

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(¹) The authority on the subject which has been most often quoted is the Report of the Municipal Commission appointed in 1834. The following account is there given of the companies:—"They were, in their "original conformation, not so much trading societies as trade societies, instituted for the purpose of protecting "the consumer or the employer against the incompetency or fraud of the dealer or the artizan, and equally "with the intent of securing a maintenance to the workman trained to the art, according to the notion of early "times, by preventing his being undersold in a labour market by an unlimited number of competitors. "Furthermore, the companies acted as domestic tribunals, adjudicating, or rather arbitrating, between master "and man, and settling disputes; thus diminishing hostile litigation, and promoting amity and goodwill.

"They were also in the nature of benefit societies, from which the workman, in return for the contributions "which he had made when in health and vigour to the common stock of the guild, might be relieved in sickness or when disabled by the infirmities of age. This character speedily attracted donations for other "charitable purposes from benevolent persons who could not find any better trustees than the ruling members "of these communities; and hence arose the numerous charitable gifts and foundations now entrusted to their "care.

"They also possessed the character of modern clubs. They were institutions in which members of the same "class and their families assembled in social intercourse."

(²) *See* the Essay of Dr. Brentano, and the "Original Ordinances of more than 100 Early English Guilds," edited by Mr. Toulmin Smith (Early English Text Society). *See also* the chapters on the Companies in Mr. Loftie's History of London, vol. I., pp. 120–225, and the returns (Part I.) and supplementary papers of the Mercers', Grocers', Goldsmiths', and Clothworkers' Companies.

guild" seem to have existed in London in Anglo-Saxon times, (1) and at the time of the Norman Conquest there were probably many other bodies of a like nature in London. Their main objects were the relief of poverty and the performance of masses for the dead.

Localization of trades in London in early times.

The trades of London appear to have had in early times their recognised quarters in the City, and owing to this localization they formed themselves into guilds, of which the principal objects were those above mentioned. (2) These guilds, however, also undertook the regulation of the trades to which the members belonged. They appointed overseers to inspect the wares produced or sold, and also umpires to adjudicate in cases of disputes between masters and workmen. They generally had halls, at which meetings of the principal members took place for purposes of inspection, arbitration, and the consideration of claims to charitable relief, and at these halls banquets were frequently given. (3) They were purely voluntary associations, and required no licence from the State.

Ordinances of the guilds.

"Ordinances" were framed for the internal regulation of the guilds at the time of their formation by the most influential members. Such ordinances were (1) religious; (2) social and charitable; (3) industrial. Examples of the first class were rules for the attendance of the members at the services of the church, for the promotion of pilgrimages, and for the celebration of masses for the dead; examples of the second, ordinances relating to common meals and the relief of poor brethren and sisters; examples of the third, regulations as to the hours of labour, the processes of manufacture, the wages of workmen, and technical education.

Inns of Court and Chancery similar bodies.

The Inns of Court and Chancery and Serjeants' Inn were probably originally bodies in some respects similar to the guilds, though not corporate bodies.(4)

Charters.

Inspeximus charters.

Charters were granted by Edward III. or Richard II. to many of the Companies. Such grants were made for valuable consideration. Succeeding sovereigns renewed the charters down to the time of the accession of the House of Hanover. The sum paid by the companies to the national exchequer in respect of the original and inspeximus charters seems to have been very considerable.(5)

Effect of charters.

The terms of the charters are in most cases obviously founded on the ordinances. They recognise the guilds as existing, "administered," to quote the words of the Bishop of Chester, "by their own officers, and administering their own property in the usual "way, the aldermen of the guilds holding the estates when the guilds possessed estates "direct from the King."(6) The hospitals and Inns of Court of London and many provincial guilds received their first charters about the time of the incorporation of the London companies, and inspeximus charters afterwards in the same way at the commencement of each reign.

Byelaws.

At the time of their incorporation the then existing members formed "byelaws" to control the details of their organisation.

Effect of incorporation.

On their incorporation the companies of London, like all incorporated bodies, became amenable to the processes of *scire facias* and *quo warranto*; but there is nothing in their history from the time of their incorporation to the present day to warrant the supposition that they could ever have been legally dissolved. From the time when the State recognised their existence, the only obligation of the governing bodies, which succeeded the "aldermen" or head men, has been to carry out, so far as has been practicable having regard to change of times, the terms of the charters and byelaws, and to apply the trust funds to the purposes for which they were bequeathed. The corporate property of the companies, as distinguished from that which they hold as trustees for charitable purposes, has always been in the eye of the law their own, just as much as if the companies were private individuals.

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(1) *See* Loftie's History of London, vol. I., p. 165, and the passages in the first and third volumes of Stubbs' Constitutional History, which have reference to the early guilds of London.

(2) *See* Loftie's History of London, vol. I., pp. 165 *sqq.*

(3) *See* the ordinances in Mr. Toulmin Smith's "Early Guilds," and also the returns (Part I.) of many of the Companies. *See also* Hallam, Middle Ages, I., 349–50.

(4) The Inns of the Temple were founded respectively in 1340 and 1560, Barnard's Inn in 1445, Clement's Inn in 1478, Clifford's Inn in 1345, Furnival's Inn in 1563, Gray's Inn in 1357, Lincoln's Inn in 1370, Lyon's Inn in 1420, New Inn in 1485, Serjeant's Inn in 1429 and 1656, Staple Inn in 1415, Thavies' Inn in 1519. Thus they were founded at about the same time as the companies of London. The Lord Chancellor stated, however, in his evidence that he did not consider the Guilds and the Inns of Court in "pari "conditione" (page 189).

(5) The Companies also contributed large sums to the national exchequer for the Scotch wars of Henry VIII.; as a "benevolence" under Mary; for the Spanish War in the time of Elizabeth; and also during the periods of the Rebellion, the Commonwealth, and the Restoration. In some cases these contributions were loans lent on the security of the Crown lands; but the probability is that very little of the money was ever returned.

(6) Stubbs' Constitutional History, vol. I. Account of London.

Custom of London as to mortmain lands.

A licence in mortmain was contained in most of the charters, and some of the charters of inspeximus contain lists of the lands held by the companies at the time they were granted, and expressly recognise the title of the companies thereto;(¹) but licences of mortmain were not of much importance as regards the companies of the city of London, for by the immemorial custom of the City “free burgage” lands, *i.e.*, lands held, as stated, “direct from the Crown,” could be devised to corporations without any limitation as to value. At the time of their incorporation, and for centuries afterwards, land was throughout England the principal kind of property, and it was only natural that, having the advantage of this custom of the City, the Companies should soon become, as they in fact did become, large holders of real property within the walls of London. (²)

Aristocratic constitution.

Companies of—
(1.) Merchants,
(2.) Tradesmen,
(3.) Manufacturers.

Patrimony.

Their constitution was always aristocratic. The administrators, who are generally named in the first charters, were the principal capitalists and employers of labour, or else distinguished citizens not connected with commerce or manufactures, and by the terms of the charters these boards had complete control over the associations. Some of these, such as the Mercers' and Grocers' Companies, appears to have consisted, to a great extent, of merchants and wholesale dealers; others, such as the Fishmongers' Company, and the other companies deriving their names from trades, of shopkeepers and their apprentices; others, such as the Goldsmiths' Company, the Clothworkers' Company, and the other companies deriving their names from “arts and mysteries,” of master manufacturers and artizans. But, the names of the companies are misleading, for the reasons that (1), from time immemorial the privileges of membership of a London company have been hereditary, one mode of admission having always been by patrimony, which causes the right to the freedom to descend to all the lineal descendants, male and female (³) of every freeman; (2), from time immemorial a system of apprenticeship has entered into the constitution of the companies, under which members of the companies, irrespective of whether they were or were not members of the trades the names of which were borne by the companies, were privileged to receive apprentices. These reasons have caused the companies to consist largely of non-craftsmen from the earliest times, and the proportion of non-craftsmen seems always to have been particularly large among the administrators or governing bodies. (⁴)

Powers of search.

Monopolies.

The charters, particularly the later ones, generally extend the area of the trade control assumed by the companies in their original state as guilds. Under some the companies acquire power to prevent persons from carrying on their callings without belonging to a company, and powers of searching for and destroying defective wares within a radius of several miles from St. Paul's. It is needless to say that monopolies and powers of search of this description are contrary to law, and that the companies never really received from the Crown either of these privileges. From the time of their incorporation, however, down to a period which is difficult exactly to fix, they exercised them within the City and its liberties; never, probably in the more extended area over which by virtue of some of the more recent charters they acquired a nominal control. (⁵)

Cessation of connection with trades at the end of the 16th century.

Their decay as trade organizations had certainly commenced at the outset of the 16th century; and probably by the end of it they had practically ceased to be of any use for industrial purposes. (⁶)

Cessation at about the

The period of the cesser of the connection of the companies with the trade and manufactures of London is approximately that of the Reformation, and as Catholicism

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(¹) *See* the charter granted to the Drapers' Company by James I., and that granted by the same King to the Vintners' Company. (Drapers' returns, Vintners' returns.)

(²) *See* the case of Attorney-General *v.* Fishmongers' Company (Preston's Charity) decided by Lord Cottenham in 1834. 2 Beav., 151.

(³) The admission of women still continues in some companies, *e.g.* in the Clothworkers' Company.

(⁴) *See* the statement made by the Clothworkers' Company (Clothworkers' return), that of the five persons named as master and wardens in the Company's Charter of 1560, only one was a clothworker; and that in still earlier times the governing body contained scarcely any clothworkers. See also the statement of the Drapers' Company (Drapers' return), that in 1415 the company was not confined to drapers; and that of the Skinners' Company (Skinners' return), that in 1445 there was only one skinner by trade a member.

(⁵) The expenses of the searches appear to have been defrayed principally out of the fines imposed upon convicted tradesmen and manufacturers. There is no evidence that the Companies ever acquired any property clothed with any trust for the promotion of trade or manufactures.

(⁶) *See* the Liber Horn, edited by Mr. Riley; the “Remembrancia” of the Corporation of London; and the opening passage of Mr. Froude's English History, vol. I. p. 50.

same period of connection with religion.

was of the essence of their religious rules, at the time when they ceased to have any control over the trades and industries from which they took their names, they also ceased to be in any real sense religious fraternities. Thus, of their three original functions, two, those of common worship and association for commercial purposes, became obsolete about four centuries ago. Their remaining function, that of hospitality and charity, has since this period been the only one which it has been possible for them to discharge. It appears (1) to us to be important to insist on this side of the case. We think that one of the results of this Commission has been to prove very clearly that for the last four hundred years the companies of London have been mainly what they are at the present day, viz., associations identified in name with trade and manufactures, but whose real objects have been rather hospitality and benevolence. They have certainly received charter after charter from Your Majesty's Royal predecessors at periods when such associations could not possibly have been called into existence for any other purposes.

Corporate and trust estate.

Protest of the companies.

The companies are at the present day possessed of a large corporate and trust estate, the principal element in which is a considerable amount of land let on building leases in the City of London. With respect to that portion of it which is corporate property, the companies have in their returns, while giving full information as to the situation and rental of the property, protested (2) against this part of the inquiry as illegal. It is obvious that the companies are perfectly justified in making this protest, for their corporate property is as much their own, and with as full a right of disposition in the eye of the law, as that of any private individual, and the Crown has no more right to inquire into the mode in which it was acquired and the way in which the income arising from it is spent, than it has to make similar inquiries with respect to the estate or income of a landed gentleman or merchant.

Evidence in the returns and the Reports of H.M. Inspectors of Charities.

The returns, however, of the companies, the Reports of the Charity Commissions appointed between 1818 and 1837, the Reports of Your Majesty's present Inspectors of Charities, and the proceedings which have taken place in Chancery in respect of the informations filed by Attorney-Generals against the companies contain jointly a considerable store of information on the subject of the nature and origin of the corporate estate of the London companies. Of such information the following is a summary :—

Sites of halls probably purchased.

1. There can be little doubt that some of the first property acquired by the companies must have consisted of the sites of their original halls. The land was probably bought and the halls built out of contributions made for the purpose by existing members. The sites of some (not by any means of all (3)) of their original almshouses were probably similarly acquired.

Custom of City with respect to free burgage lands.

Investment in land of corporate savings.

2. There is a strong probability that a large amount of the corporate savings of the different companies, *i.e.*, monies arising from fees and fines as hereinafter explained, was in the earliest times invested in the purchase of building land in the City. Such purchases would of course have been impossible apart from the custom of the City, which dispensed with the necessity of a licence in mortmain in the case of land held in free burgage. The amount of land in respect of which the companies have obtained licences in mortmain seems to be comparatively small. On the contrary the amount purchased under the custom outside the licences seems to have been large, and we think it probable that much of this was paid for out of the accumulations of the contributions of then existing members, or members very recently deceased, to the common purse. (4)

Fire of London.

3. The Fire of London for a time ruined the City Companies. Their halls, almshouses, and schools, and almost all their house property in the City was destroyed. At this time the charities of which the companies were trustees were not nearly so

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(1) *See* the return of the Grocers' Company (Part I., Return F.) in which is included a minute of the court, dated August 18, 1687, containing no allusion to trade, but a resolution to make the company "*what it once was* (*in allusion to serious losses recently sustained*), *a nursery of charities and seminary of good citizens.*" It is significant also that Mr. Herbert's History of the Companies of London, which is perhaps the standard work of authority on the subject, ends at the Restoration, and contains—though it is the result of much research into the archives of the guilds—very few allusions to their connection with their trades. See also Waltham and Austin's case (8 Coke 125*a*) and Davenant and Hurdis (11 Coke 86*a*), from which it is obvious that as early as the 16th century their trade privileges could be successfully disputed in courts of law.

(2) *See* the returns of the companies.

(3) Many were founded by benefactors.

(4) *See* the returns of the companies, the Reports of the first Charity Commissioners, and the Reports of Her Majesty's present Inspectors of Charities.

The then existing members, who rebuilt the halls and house property, the second founders of the companies.

numerous as at present; but they were still even then both numerous and opulent, and the income which supported them consisted almost entirely of rents and rentcharges. Fire insurance was unknown at the time, and the expense of repairing the ravages of the fire was borne solely by the companies without State or municipal aid. There is no doubt that the then existing members made large contributions out of their private means for this purpose. The principal persons connected with the companies were determined that their schools and almshouses should not be closed, and to prevent this they subscribed a very large sum. These persons may be regarded as the second founders of the companies, which must have become extinct, along with all their great charities, without their assistance. The present income, both corporate and trust, of the companies is really the interest of the capital which was thus invested. At the time when the house property of the companies was rebuilt they had long ceased to have any connection with the trades which they originally to some extent represented, and were precisely what they are now—private associations having for their main objects charity and hospitality. The companies did not recover from the effects of the fire, to which must be added the impoverished condition produced by State exactions, till the middle of the last or even the commencement of the present century. (1)

Lands in London acquired by purchase from the Crown.

4. The lands of the City companies, or rather the rent-charges issuing thereout, which were confiscated by the State at the time of the Reformation as being held to superstitious uses, were purchased back from the Crown in the time of Edward VI. The purchase money was probably to a great extent subscribed by then existing members out of their own pockets. In any case it is clear law that all such property is the absolute property of the purchasers, with as unlimited a power of disposition as if it belonged to private individuals. (2) A very large amount of the City house property of the companies was thus acquired.

Ulster estate acquired by purchase from the Crown.

5. The Ulster estate of the City companies was also acquired by purchase from the Crown, in the reign of James I. The money with which it was bought consisted of the subscriptions of existing members. At the time of the purchase there can be no doubt that the companies were constituted precisely as they are at present, and there is no pretence for suggesting that the land was conveyed subject to any express or implied trust, or that it passed to the companies otherwise than as their absolute property, with as unlimited power of disposition as if it had been conveyed to private individuals. (3)

Proceedings in Chancery.

Companies generally successful.

6. After the Reports of the Charity Commissions, which sat between 1818 and 1837, a number of informations were filed by the Attorney-General against the companies, mainly, it would appear, at the instance of the parochial authorities of the City, who laid claim to the increment of certain rents as being charitable income available for the relief of the poor. The result of the litigation was that the companies succeeded in almost every case in demonstrating their clear legal right to deal with the increment as in every respect their own. (4)

Recent cases.

Donkin's and Kendall's charities.

Since Your Majesty's present Inspectors of Charities have reported there have been two cases in Chancery which have attracted some attention—the Merchant Taylors' Company *v.* the Attorney-General (Donkin's Charity) (5), and the Attorney-General *v.* the Wax Chandlers' Company (Kendall's Charity) (6). In the former case the Merchant Taylors' Company were plaintiffs. On Mr. Hare, one of Your Majesty's Inspectors of Charities, mentioning to the court of the company that he had some doubt as to the increment of the rents left under the will being corporate income, the company at once took the best available legal opinion, and finding that counsel agreed with

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(1) *See* particularly the information given by the Mercers' and Grocers' Companies with respect to their poverty during the period above mentioned. *See also* Mr. Hare's account of the Mercers' Company's Charities, and the preface to Mr. Herbert's work.

(2) This has been repeatedly held in Chancery. *See* Lord Cottenham's judgment in Attorney-General *v.* Fishmongers' Company (Preston's Charity), 2 Beav. 151. *See also* the returns of the Goldsmiths' Company, (Part V.), in which the court say “It will be seen that a great, if not the largest, part of the property held by the Goldsmiths' Company (*i.e.*, the portions of their estate which had been confiscated as held to superstitious uses) was acquired *by purchase from the Crown.* It is held by as good a title as any property in the Kingdom, and it appears to us—and if properly considered would, we believe, appear to law-makers as well as to lawyers, —that if Parliament were to dispossess us of any portion of our property, or to interfere with the appropriation of its revenues without compensation, a principle of law would be attacked, by the violation of which the property of every landowner in the kingdom would be rendered insecure.”

(3) *See* the supplemental statements of the Fishmongers', Ironmongers', and Clothworkers' Companies.

(4) *See* the returns of the companies and Mr. Hare's reports.

(5) L.R. 11 Eq. 35, 6 Ch. 512.

(6) L.R. 6 App. C. 1.

Mr. Hare, they instituted a suit claiming a declaration that the whole rent of Donkin's estate was trust as opposed to corporate income and subject to the specific payments mentioned in Donkin's will. This claim was granted in the Court of First Instance by Lord Romilly, then Master of the Rolls, and in the Court of Appeal this ruling was affirmed, the Lord Chancellor, however, Lord Hatherley, describing the case "as one of very great nicety," in which he arrived at a conclusion "with considerable hesitation." (1) The information against the Wax Chandlers' Company, was not, it is true, a friendly suit, but the case was one of extreme difficulty, and the decision of the House of Lords declaring the increment to belong to the charity as opposed to the company has been much canvassed.

Results of litigation.

We think it clearly appears from the history of this litigation, which commenced in 1837 and has only just ended, (1) that the courts of the companies, as might be expected from bodies of honourable men, have had their titles carefully investigated in all doubtful cases; (2) that it is certain that the law officers of the Crown would at the present time direct few, if any, proceedings in Chancery, if they were granted inspection of all the title deeds of the companies.

Favourable reports of (1) First Charity Commissioners, (2) present Inspectors of Charities.

We desire to add: (1) That the reports of the first Charity Commissioners are very favourable to the companies. The points made use of at their suggestion in the informations were of an abstruse and technical kind, arising on the construction of obscurely expressed wills, and the Commissioners never imputed to the companies anything worse than an erroneous interpretation of difficult language. They speak also in the highest terms of the liberality of the companies as regards their charities. (2) That the Reports of Your Majesty's present Inspectors of Charities are perhaps even more favourable, and show that the courts were between the years 1860 and 1865, as the returns show that they are at the present time, excellent bodies of trustees, who spend far more than they are bound to spend on the charities which they administer. (2)

Moral as well as legal claim to complete control of corporate property.

We have thought it right to lay the above facts before Your Majesty and before the public, because the position of the companies of the City has been in our opinion greatly misunderstood, and because we conceive that the result of this inquiry has been to establish a moral no less than a clear legal right on the part of the bodies which have been the subject of it to be allowed to retain the complete control of their corporate or private property.

Some misconception also appears to us to prevail as to the attitude assumed by the companies towards the Municipal Commission appointed by Your Majesty's Royal predecessor King William IV. in 1834. Many of the companies gave the Commissioners a full account of their charters, byelaws, and general constitution, but declined to answer questions put by the Commissioners relating to their corporate, *i.e.*, as we have explained, their private property. Such questions were clearly *ultra vires* for the reasons above given, (3) and the refusal of the companies was perfectly justifiable. Some of the companies refused altogether to answer the questions of the Commissioners, and they were, in our opinion, justified in so doing, as there was no pretence for regarding them as within the purview of a "Municipal Commission," for the reason that these bodies are not at law "municipal corporations," nor in any sense an integral part of the municipality of the City of London. (4)

Constitution of the companies well ascertained at the time when the Commission was issued.

2. The second part of your Majesty's Commission relates to the constitution of the companies of the City and the privileges enjoyed by the members. The organisation of the companies is really a matter of public knowledge. Their charters and byelaws were carefully examined by the Municipal Commissioners appointed in 1834, and are set out at length in the valuable Appendix to that Report, from which it is obvious that

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(1) *See* Memorandum of Merchant Taylors' Company.

(2) Mr. Hare says (Report on Grocers' Company's Charities): "There can be no doubt that in the case of these ancient, wealthy, and liberal bodies the funds are practically secure."

(3) *See* supra, p. 4.

(4) Amongst others Sir W. Follett, Sir J. Scarlett (afterwards Lord Abinger), and Sir F. Pollock (afterwards Chief Baron Pollock), so advised. The following is an extract from the opinion written by Sir F. Pollock on a case submitted to him by the Grocers' Company: "I am of opinion that the authority purporting to be "given (to the Commission) of calling for all charters and papers is not legal; nor am I aware that the Crown "can confer upon the Commissioners any means of compelling the attendance of witnesses or the production "of papers. I think the Grocers' Company is not a municipal corporation—it has nothing to do directly "with the government or protection of any city, town, or place,—and I think the influence of its proceedings "upon the election of either the magistrates or the members of the City of London does not make it a "municipal corporation."—*See* Supplemental Return of Grocers' Company.

Observance of charters and byelaws.

the courts or governing bodies have always striven to abide by the spirit and even the letter, wherever it is possible, of these instruments. Of course they contain much that is archaic and impossible nowadays to carry out. The same careful observance of their charters and byelaws, in so far as they affect the companies as associations for the promotion of charity and hospitality, is visible in those parts of the returns received by us which are addressed to this subject.

Privileges of freemen and liverymen.

As to privileges, the companies consist partly of mere freemen, who are as a rule artisans, partly of liverymen, who are members for the most part of the middle class, and who pay a considerable fee to the common purse on "taking out their livery."

It is certain that there are 10,000, and there may very possibly be 15,000 freemen, members of the working classes, who mostly pursue their callings in London. The only privilege which they enjoy is a claim to charitable relief in case they or their widows or orphan daughters fall into poverty or other undeserved misfortune. The relief of poor members, their widows, and orphans was undoubtedly one of the chief objects of the foundation of the companies, and it is regarded by all the courts as a principal duty. Not only the trust incomes, but also the private incomes of the companies are available for this purpose, with the result that many poor members are thereby prevented from becoming a charge on the parochial rates.

Misfortune is not confined to the artisan class, and liverymen, of whom there are 7,000, their widows and orphans, are as much entitled as freemen or freewomen to relief out of the companies' funds; but it is a rule in, as we believe, all the companies that a liveryman must always give up his livery, his fine being returned to him, at the time when his petition is sent in.

Almshouses. Pensions.

The relief consists in admission to the almshouses or in pensions, those paid to destitute liverymen or their relations being of greater value than those paid to freemen and freewomen.

Great pains appear to be taken by the companies to prevent imposition, and we believe that their internal charity relieves in a delicate manner much undeserved misfortune. (1)

Courts.

A place upon the court of one of the more prominent companies is a position of some dignity and influence, but it is not reached till after many years of membership, nor without considerable expense in the payment of fees (1) on entrance; (2) on "call" to the livery; and (3) on promotion to the court and to office, which is always taken by a new member of a court. (2) Members of the courts are the hosts, and have a place at all the entertainments of the companies; but the sum spent on the entertainments to which a liveryman of one of the opulent companies is invited often represents little more than the interest of his livery fine; while there are many companies which have absolutely no corporate income, except such as arises from the accumulations of the contributions of past and present members. We think it probable that of the 7,000 liverymen, about half receive nothing in any way from inherited funds, though their contributions in fines and fees amount to a very considerable sum.

Numbers of liverymen receive nothing from inherited funds.

Modes of admission.

The three modes of admission—patrimony, apprenticeship, and redemption—are of great antiquity, and are essential features in the constitution of the companies of the City of London. The Reports of Your Majesty's Inspectors of Charities make it impossible to doubt that the courts, which consist of persons who have entered the companies by these means, are admirable boards of trustees, and this circumstance, coupled with the entire satisfaction with the proceedings of the courts which the liverymen at large show, appears to prove that this constitution works well in practice.

Officers and servants. Paid out private income.

3. The third part of your Majesty's Commission relates to the salaries of the officers and servants of the companies of London, and the mode in which such persons are appointed. The returns show that the stipends and salaries of the companies' officers are paid almost wholly out of the private income of the companies. (3) This circumstance would, in our opinion, justify us in passing the matter over. But, as our

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(1) *See* the evidence of Sir Frederick Bramwell, F.R.S., one of the representatives of the Goldsmiths' Company.

(2) These fees sometimes amount to 200*l.*, or even 300*l.* *See* the returns.

(3) There are many small sums payable under the wills of benefactors to the officers and servants for the performance of duties connected with the administration of the charities. The total amount of these sums is, however, insignificant, compared with the payments made to the staff out of the private income of the companies.

Court fees.

colleagues have not adopted this course, we think it right to state that the few really highly-paid officials who are in the employment of the companies hold positions of importance, and are professional men of ability, who could easily have found equally remunerative occupations. With respect to "court fees," *i.e.*, the payments which are made to members of the governing bodies of the companies for their attendance at the meetings which are held for business purposes, these too (1) are taken almost entirely out of the private income of the companies. In several of the companies no fees are paid, in many fees only of a nominal amount, and in the cases in which fees of more than a nominal amount are paid there is usually a considerable amount of important business transacted at the meetings.

Corporate and trust income.

4. The fourth part of Your Majesty's Commission relates to the sources of the corporate and trust income of the companies, the capital value of their property, their administration of it, and the mode in which the income arising from it is expended.

Origin of corporate estate.

All private property.

As to the origin of the corporate or private estate of the companies we beg to refer to the previous part of this Report. The corporate estate consists of (1), the companies' halls and a large amount of house property in the City of London purchased by the companies with their own private funds in the market in the ordinary way; (2), a large amount of house property in the City of London purchased as private property from the Crown; (3), rents of houses or ground rents in the City of London on which there are in some cases fixed or proportionate charges for the support of charities, such rents being clearly as a matter of law their private property; (4), an estate in Ulster purchased as private property from the Crown; (5), a considerable sum invested in the funds and other securities representing (1) the price of lands the private property of the companies which have been sold for the purposes of public improvements, (2) accumulations of fees paid to the common purse by present or past members; (6), a considerable amount of plate, almost all presented by past or present members. This corporate estate is, in our opinion, clearly in the strictest sense of the term the private property of the companies, as they have themselves stated in their returns, and we are glad to say that our views have received confirmation from a legal authority of the highest rank, the present Lord Chancellor, who did us the honour to come before us as a member of a deputation, representing the City and Guilds of London Technical Institute. (2)

Evidence of the Lord Chancellor.

Letter from Mercers' Company with respect to private expenditure.

With respect to the way in which the income arising from this private property is expended, we cannot do better than quote the following passage from a letter addressed to us by the Mercers' Company, the first of the "great" companies of London in order of civic precedence. "As regards the mode in which the company's income is expended, "the company trust that the same sense of the duties attaching to the possession of "property which has hitherto guided them in the administration of their own will "continue to do so; and they venture to think that in this respect they have no reason "to fear a comparison with the most liberal among the wealthy nobility and gentry "of the realm. But considering this point to be one affecting themselves only, they "decline to notice either the censure or the commendation which may have been "expressed by others in reference to it."(3)

Private expenditure on public and benevolent objects.

These remarks appear to be very just; but we cannot but think that the returns of the companies with respect to their private expenditure on public and benevolent objects, will, when laid before the public, be found to merit commendation rather than censure. There prove to be several companies which devote half their private income to such objects, and the proportion of the private incomes of most of the companies which is thus spent is very considerable.

Judicious selection of such objects.

Support of companies' charities.

Support of education and of the charities of London.

Moreover, we consider that in the selection of the public and benevolent objects which they support, the companies show remarkable judgment. Their first thought appears to be of the charities which they administer as trustees, and which in the 17th century they saved from destruction. Many of these are at present in debt to them to a large extent, and have been converted from poor into comparatively rich foundations.(4) They also largely support education in all its branches. They have founded several schools, and have recently formed the above-mentioned City and

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(1) Apart from some small legacies for the superintendence of certain charities.

(2) *See* the evidence of the Lord Chancellor (Lord Selborne), page 189. "I rather *decline*," says his Lordship, "*to contemplate anything which may be done in the way of redistribution of the companies' own* (*i.e.* "their private or corporate) *funds*." "The city companies, assuming them to be (as I believe them to be in "law) *absolute and perfect masters of their own* (*i.e.* their private or corporate) *property* . . . ." "the funds which I call *their own property were derived from their own subscriptions* and *gifts* from their "own members and others and were *intended to be for their absolute use*."

(3) *See* appendix to return of Mercers' Company.

(4) *See* the Reports of H.M. Inspectors of Charities.

Guilds of London Technical Institute, which has for its object the promotion of that most important object, technical education, in London and the provinces. They also, as is well known, contribute largely to the charities of London.

Trust estate.

As to the trust estate of the companies, it supports upwards of one thousand charities, and Your Majesty's Inspectors appear to be of opinion that no charities in England are better administered. (¹)

The Companies have only recently become rich.

As regards both these estates, not only did the financial difficulties above alluded to (²) continue up to a comparatively recent date, but the income of the companies probably did not become considerable till about 50 years ago, when a large number of building leases in the city fell in, and it became possible for the guilds to raise the ground rents of their city property so as to participate in its increased value.

Their Irish estate has only recently become remunerative.

The Irish estate of the companies, in the purchase of which they sank in the reign of James II. an amount of their private capital which for the time was extremely large, did not become really remunerative till an even later period.

Admirable conduct of the Companies with reference to their Irish estate.

Nothing can be more admirable than the conduct of the London companies with respect to these Ulster lands (³). They found them a desert, and by their care and munificence they have made them one of the most prosperous parts of the United Kingdom (⁴). Indeed they may be said to have founded at their own expense the loyal province of Ulster, a service to the Crown perhaps without a parallel, except the service rendered by the Honourable East India Company (⁵).

Increase of amount of corporate property devoted to public objects.

In times past when their incomes were small, the chief companies always devoted a substantial portion of them to public objects, and their expenditure upon such objects appears to have grown in proportion to the growth of their revenues. Thus in 1822, the Goldsmiths' Company, whose income was not then large, founded six exhibitions of 20*l.* a year, three tenable at Oxford, three at Cambridge. The Company has since then gradually increased the number and value of its exhibitions, till at the present time it has 75 exhibitions, each of the value of 50*l.* a year, tenable at the two Universities. We believe that, if the matter were inquired into, many examples of the same steady increase in their annual contributions to public objects would be found in the

Universities.

(¹) *See* the Reports of H.M. Inspectors of Charities *passim.*

(²) *See* page 5 supra.

(³) The supplementary “statement” of the Ironmongers' Company (*see* page 353 infra) cites (1) a Petition to Parliament dated 1641 in which it is set forth that at that date 150,000*l.* had been expended by the Irish Society, in the “plantation” of the Colony, (2) a grant to the Company of the manor of Lizard by Charles II., in 1663, in which it is recited that the king takes into consideration “the *vast sums of money* the “society, *i.e.*, the Irish Society, and the several companies of London had laid out and disbursed in their building “and planting.” It appears also from this statement that not only the corporations but the individuals composing them contributed money for these purposes; “in 1630 Paul Canning, who was then a member of the Ironmongers' Company and their agent in Ireland, sold his estate in England for 2,000*l.* and spent it in planting and stocking the company's estate, and also at his own charge built a church.”

(⁴) *See* the supplementary “Statement” of the Fishmongers' Company (infra p. 324). “The Company's books show that from the year 1820, when the estate fell into the Company's hands, down to the year 1881, the Company have expended large sums in roadmaking, irrigation, the construction of river and canal banks, the supply of building and other materials, labour, grants and allowances to tenants, planting, the building of cottages, mills, and dispensaries, the maintenance and support of seven schools, wherein excellent practical education is given to more than 500 children of the tenantry and labourers on the estate, towards the erection and maintenance of places of worship, Episcopalian, Presbyterian, and Roman Catholic, in grants towards the support of their ministers, and in casual relief and pensions. The following is an approximate statement of the amounts expended under the several heads since 1820:—

		£
For roads, irrigation, river, and canal banks - - - - - -	about	28,558
,, building materials supplied, labour thereon, grants, and allowances to tenants -	about	26,443
,, cottages, dispensaries, mills, reclamations, town parks, farming societies -	about	33,722
,, trees, woods, and plantations - - - - - - - - -	about	20,632
,, schools - - - - - - - - - - -	about	33,528
,, places of religious worship and donations to ministers - - - -	about	21,292
,, relief, pensions, and donations to the sick, aged, and destitute on the Company's estate,	about	24,849
		£189,024

(⁵) At present, according to the evidence taken by the Bessborough Commission, the rents of the companies' Irish lands are strictly fair. An able account of the estates recently published in the “Times” newspaper is most favourable to the companies. The “Commissioner” of the paper, states: “The com- “panies are devoting themselves to judicious improvements” . . . . “Taking the period since 1831 “when the Mercers took over their estates, they have spent upon them considerably more than half the “income. This is a great deal more than is done or can generally be afforded by private owners” . . . . “Since 1853, the Salters' Company has expended in improvements 34,776*l.*, donations to schools, &c., “22,083*l.*” . . . . “Since coming into possession, the Skinners' Company has laid out annually in “improvements 4,730*l.*, donations to schools, &c., 1,000*l.*” . . . . “Ballykelly has been made by the “Fishmongers' Company a model village which might contrast favourably with any in England.”

recent history of the London companies. The Fishmongers, Grocers, Ironmongers, Clothworkers, and several of the minor Companies have similarly increased their exhibitions, or have founded exhibitions out of their private means. Indeed the Companies largely subsidize in this respect the Universities of Oxford and Cambridge, and also University and King's College, London, two bodies which appeared before us by deputations.

Schools.

They also support, to a considerable extent, out of their private income between 30 and 40 schools, some classical schools, *e.g.* St. Paul's (1), Merchant Taylors' Schools (2), Tunbridge School (3), Aldenham School (4), and Great Crosby School (5), others, middle class schools, such as those admirable institutions, Bancroft's Hospital (6) the Aske Schools (7), and the Grocers' Middle Class School at Hackney Downs. These schools are distributed over 14 or 15 counties, and not less than 12,000 scholars are educated at them. Mr. Matthew Arnold, who has had much experience as one of your Majesty's Inspectors of Schools, and who has interested himself greatly in the promotion of "middle class" education, has stated to us his opinion that the Companies of London have done much useful service in this respect. We have also received a favourable account of these schools from the Secretary of the Cambridge Local Examination Board (8).

Middle class education.

Merchant Taylors' Schools.

On Merchant Taylors' School, a school without endowment, the Merchant Taylors' Company proves to have expended in recent years, out of its private income, a sum of no less than 140,000*l.*

Technical Education.

To the support given by the Companies of London to Technical Education we have already alluded; and to the City and Guilds of London Technical Institute, a body which sent a deputation before us, consisting of the Lord Chancellor (Lord Selborne), Sir F. Bramwell, F.R.S., and the late Mr. Spottiswoode, then President of the Royal Society, accompanied by the three secretaries, Mr. Watney (9), Mr. Sawyer (10), and Mr. Owen Roberts (11), gentlemen who have done much to promote the objects of the undertaking.

Committee of companies on technical education, 1878.

Reports to committee.

This body was founded in 1878 by a committee sitting at Mercers' Hall and composed of Lord Selborne, Sir F. Bramwell, F.R.S., Sir Sydney Waterlow, and other members of the principal companies, together with representatives of the City of London. In the autumn of this year the committee communicated with and received reports on the subject of technical education from six gentlemen of great scientific or practical knowledge of the question, viz., Sir William Armstrong, F.R.S., Mr. G. T. C. Bartley, Lieut.-Colonel Donnelly, Captain Douglas Galton, F.R.S., Professor Huxley, F.R.S., and Mr. H. Trueman Wood.

Suggestions.
(1) Central Institute.
(2) Local Schools.

All the reports agreed in suggesting the establishment in London of a Central Institution or Technical University in London for training technical teachers and providing instruction for advanced students in applied art and science. The reports also for the most part recommended the establishment of elementary schools of science and art in London and the chief towns, and the encouragement of technical study by means of laboratories, scholarships, and courses of lectures.

Professor Huxley's "complete system of technical education."

Professor Huxley's report stated that "a complete system of technical education "should be directed towards the following objects, viz.:—

"1. The diffusion, among artizans and others occupied in trades and manufactures, "of sound instruction in those kinds of theoretical and practical knowledge which bear "upon the different branches of industry, whether manufactures or arts.

"2. Adequate provision for the training and supply of teachers qualified to give "such instruction; and for the establishment of schools or isolated classes, to which "the industrial population may have ready access; and, further, for a proper system of "examinations whereby the work done in the schools and classes may be tested.

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(1) Mercers' Company.
(2) Merchant Taylors' Company.
(3) Skinners' Company.
(4) Brewers' Company.
(5) Merchant Taylors' Company.
(6) Drapers' Company.
(7) Haberdashers' Company.

(8) The Rev. G. F. Browne, who reports that "they are considered as good as any schools of the kind, and that one of them (Bancroft's Hospital), which he has himself several times examined, is exceptionally good."

(9) Clerk to the Mercers' Company.

(10) Clerk to the Drapers' Company.

(11) Clerk to the Clothworkers' Company.

"3. The organisation of arrangements for effecting the apprenticeship of scholars of "merit in the branches of industry for which they show aptitude; for enabling such "scholars to continue their studies beyond the ordinary school age, by means of exhibi-"tions; and for opening to the rest of them a career as teachers or as original "workers in applied science." (1)

1878. Vote by certain companies of 12,000*l.* a year out of their private incomes to technical education and formation of "City and Guilds of London Technical Institute."

In the autumn of 1878, the Mercers', Drapers', Fishmongers', Goldsmiths', Salters', Ironmongers', Clothworkers', Armourers', Cordwainers', Coopers', Plaisterers', and Needlemakers' Companies agreed to provide about 12,000*l.* a year out of their private funds for these purposes, and the "the City and Guilds of London Institute for the advancement of technical education," was provisionally constituted with the following objects, viz., (1) the foundation of a central institute in London for technical education, (2) the establishment of or assistance to, trade schools in London and the provinces, (3) technological examinations, (4) grants in aid of existing institutions having for their object technical education.

1879. Cowper Street Schools.

Examinations.

King's College. University College.

In the year 1879 the institute was incorporated. In this year the Council commenced negotiations for the purchase of a site for the Central Institute, established (1) Technical classes in connexion with the Middle Class Schools, Cowper Street, Finsbury, (2) a department of applied fine art at the Lambeth School of Art, and took over (2) the examinations in technological subjects which had hitherto been carried on by the Society of Arts. It also subscribed to several existing institutions, such as the British Horological Institute, Clerkenwell; the London School of Wood Carving; the Mining Association of Devon and Cornwall; the Nottingham Trade and Science Schools; the Artizans' Institute, St. Martin's Lane; the Birkbeck Institute Building Fund; and the Lancashire and Cheshire Union of Mechanics' Institutes Technical Education Fund; and added to the stipends of the professors of mechanical and chemical technology at University College, London, and founded a professorship of applied Art and a professorship of Metallurgy at King's College, London.

1880. Subscription for Central Institute.

Finsbury College.

During the year 1880 the corporation continued its negotiations for a site in South Kensington for the Central Institute, and obtained an estimate of the cost of a building suited, as regards class-rooms, workshops, and laboratories, to the technical teaching of (1) chemistry, (2) physics, (3) mechanics, (4) art. The estimated cost of such a building was 76,000*l.* A building fund was formed, and four companies, the Fishmongers', Goldsmiths', Clothworkers', and Cordwainers' Companies, agreed to subscribe upwards of 30,000*l.* to this fund. It was also resolved to erect a technical college in Finsbury at an expense of 20,000*l.*, as an institution intermediate between the Cowper Street Schools and the Central Institution. (3)

Effect of technological examinations in the provinces.

During this year the effect of the technological examinations of the Institute in the provinces was seen in the interest awakened in the subject of technical education among manufacturers and the members of mechanics' institutes in Leeds, Bradford, Huddersfield, Nottingham, Belfast, and other places. The manufacturers in several instances made arrangements for the instruction of the artisans in their employment, and the mechanics' institutes engaged teachers with the assistance of the institute. (¹) The number of students examined increased from 200 in 1879 to upwards of 800 in 1880. (²) The income of the Institute was materially increased this year by the accession of new companies, and by several of the original companies adding to their subscriptions.

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(1) Mr. Huxley adds. "Those who are acquainted with the systems of technical education which have been "developed in Belgium, Germany, Switzerland, Austria, and other continental countries during the last fifty "years, and which are at present carried out on a very large scale, with the aid of state or municipal funds, in "all those countries, will perceive that the project which I have submitted to the Committee, aims at the "organization in this country, of a scheme of technical education essentially similar in principle to that carried "out in the "Gewerbe Schulen" but more especially the "Gewerbliche Fortbildungs Schulen," of which "numbers exist in every German state (even the smallest) but modified in practical working so that it may "adapt itself to the social conditions and the existing educational arrangements of our own people. . . . . "Switzerland, with about two-thirds the population of London and incomparably less wealth, supports a "multitude of such schools, with the magnificent "Polytechnicon" of Zurich as their crown. The condition "of England in these matters is simply scandalous."

(2) In this year 38 such examinations were held, among other places at Belfast, Birmingham, Bolton, Crewe, Camborne, Gateshead, Huddersfield, Hulme, Merthyr, Tydvil, Nottingham, Newcastle, Oldham, Penzance, Swansea, and Wigan. The scheme included a system of registration for qualified teachers in technology, under which 63 classes were established during the year.

(3) "It is anticipated that in the general scheme of the Institute's work, the Finsbury College will occupy "an intermediate place between technical and middle class schools, such as the Cowper Street Schools and "the Central Institution, receiving pupils from the schools and sending on the most advanced to the Central "College at Kensington." Report of Council of City and Guilds of London Technical Institute, presented March 1881. The Council consists of Lord Selborne (Chairman), Sir Sydney Waterlow, Bart., M.P. (Treasurer), Messrs. Watney, Sawyer, and Owen Roberts (Secretaries), the Lord Mayor, the President of the Royal Society, the President of the Chemical Society, the President of the Institution of Civil Engineers, the Chairman of the Council of the Society of Arts, and delegates from the Corporation and the Companies.

1881.

In 1881 a Royal Commission was appointed "to inquire into the instruction of the " industrial classes of certain foreign countries in technical and other subjects for the " purpose of comparison with that of the corresponding classes of this country, and " into the influence of such instruction on manufactures and other industries at home " and abroad." The appointment of this important commission, which has just published its report, was to a great extent brought about by the exertions of the London Companies.

Central Institution. Finsbury College.

During this year the foundation stone of the Central Institution in South Kensington was laid by His Royal Highness the Prince of Wales, that of Finsbury Technical College by His Royal Highness the lamented Duke of Albany. The sum to be expended on the former was estimated at 70,000*l*., that on the latter at 35,000*l*. The number of students at the London colleges, and the number of candidates for diplomas in the technological examinations of the Institute largely increased.

Recognition in cy-près scheme.

The subject of technical instruction was also for the first time recognised this year by the Chancery Division of your Majesty's High Court of Justice in the formation of a *cy-près* scheme.

1882.

During 1882, the work of the Institute steadily progressed. The report for the year, which is signed by Lord Selborne, as chairman of the Institute, states:—" In " reviewing the three great divisions of the Institute's operations, (1) the establish- " ment in the metropolis of a central institution, and of other schools for technical " instruction; (2) the examination of candidates in technology, and the encourage- " ment by means of grants to teachers, of technical instruction, as supplementary to " the State-aided teaching of pure science; and (3) the subvention in the great " manufacturing centres of technical colleges affiliated to the Institute, your Council " have every reason to be satisfied with the advance that has been made in each " division of their work." During this year the Council received applications for grants in aid of technical schools at Nottingham, Manchester, Middlesborough, Sheffield, Leicester, Bolton, Bradford, and several other provincial towns. Some of these applications were entertained, the promise being in every case "conditional on a " sufficient sum of money being subscribed from local sources for the erection and " maintenance of an efficient school." During this year also a technical college, towards the building and endowment of which the Clothworkers' Company largely contributed, was opened at Bradford.

Applications from provincial towns.

Bradford Technical College.

1883, 1884. Steady progress. Finsbury College.

From this time to the present the Institute has continued to make steady progress. Finsbury College is now built with a splendid apparatus of physical and chemical laboratories, and affords technical instruction to upwards of a thousand students. The lists of candidates and of subjects in the technological examinations have increased fourfold. Finally, the Central Institute, which is in Exhibition Road, South Kensington, is

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(¹) " Among other signs of the interest shown in the Technological Examinations as means of promoting " technical education in the provinces, are the suggestions respecting them, which from time to time your " Council receive from trades associations and other bodies." Thus, in the Report of the Linen Merchants' Association, Belfast, the following notice occurs: — " Your Council, with the view of further extending " technical education in connexion with the manufacture of linen, propose communicating with the City and " Guilds of London Institute, requesting that 'bleaching, printing, and dyeing of linen goods may be placed " 'on their list of subjects.' " Report of Council, March 1881.

(²) The subjects examined in were alkali manufacture, blowpipe analysis, brewing, calico bleaching, dyeing, and printing, carriage building, cloth manufacture, cotton manufacture, electro-metallurgy, flax, fuel, gas manufacture, goldsmiths' and silversmiths' work, iron manufacture, lace, mechanical engineering, mechanical preparation and dressing of ores, mine surveying, manufacture of oils, colours, and varnishes, oils (illuminating and lubricating), paper manufacture, photography, pottery, and porcelain, printing, silk dyeing, silk manufacture, steel manufacture, sugar manufacture, tanning leather, telegraphy, watchmaking, and wool dyeing. The students came from Ballymena, Batley, Belfast, Birmingham, Bolton, Bristol, Burslem, Bury, Cambusbarron, Cheltenham, Chester, Coatbridge, Crewe, Cullbackey, Dewsbury, Dukinfield, Gateshead, Halifax, Huddersfield, Kenmare, Macclesfield, Newcastle-on-Tyne, Nottingham, Oldham, Rochdale, Todmorden, Widnes, Wigan, &c.

Central Institute. Income. Building fund.

built and will shortly be opened. All the great companies and most of the minor companies have associated themselves with the Institute, which has an income of 25,000*l.* a year arising from the private funds of the companies, and has raised, in addition, from the same source for the buildings above mentioned, upwards of 100,000*l.*

The contributions of the several companies during the period over which the inquiry has extended are to be found in the Returns. We are informed that between 1881 and 1884 they have contributed about 120,000*l.* to the funds of the Technical Institute.

The companies of London have thus founded in England a system of technical education, a service to the State which it is difficult to over-value, and an undertaking strictly in accordance with their original constitution.(1)

Royal College of Music. Fisheries Exhibition. Health Exhibition.

The companies have recently contributed 13,000*l.* to the Royal College of Music. The Court of the Fishmongers' Company bore the brunt of the labour of organization in respect of the "International Fisheries' Exhibition," held with so much success last year, and this and other companies made a large contribution to the expenses. They have also made a considerable contribution to the "International Health Exhibition" which is now being held. The Grocers' Company has recently founded a scholarship for "scientific research."

Suggestions as to reform.

5. The fifth part of Your Majesty's Commission requires us "to consider and report" to Your Majesty "what measures, if any, are expedient and necessary for improving "or altering the constitution of the companies or the appropriation or administration "of the property or revenues thereof." As regards this part of Your Majesty's Commission, we beg to report to Your Majesty as follows:—

Mr. Hare's scheme.

1. The only person of importance who appeared before us to suggest a scheme for reorganising the Companies of London, was Your Majesty's Senior Inspector of Charities, Mr. Hare, and Mr. Hare's scheme, we say it with respect, appeared to all the Commissioners impracticable.

The companies' corporate property absolutely private. Law. History. Public spirit. Technical Education.

2. We refer as regards the corporate or private property, and corporate or private income of the companies to (1) the law of the land on the subject as explained to us by the Lord Chancellor, according to which this property and this income is as absolutely the companies' own as the property or income of any private person; (2) the circumstances under which this property was acquired as stated in the above historical survey, and also in the evidence of the Lord Chancellor, viz., partly by purchases made out of the private incomes of the companies, partly by gifts "intended (in Lord Selborne's words) to be for the absolute use"(1) of the companies; (3) to the public spirit shown by the companies of London in past times, and at the present time, in the good use which they have made of their private incomes, in past times in saving their charities from bankruptcy, and in the colonisation of Ulster, at the present time in their support of useful objects, and in particular in the establishment by them of Technical Education, a movement which has revived in the only way possible at the present day the connection of the guilds of London with the arts and manufactures which they formerly represented, and which they will shortly be supporting by means of the Central Institute and its affiliated schools throughout the whole of the United Kingdom.

Their property being at law the companies' own, the product partly of their own savings, partly of absolute gifts to them, and the income from it being in great part spent for the public good, we join with the Lord Chancellor in "declining to contemplate" any State interference with this property or with the companies in their administration of the income arising from it.

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(1) Professor Huxley, speaking at a distribution of prizes to the students at Finsbury Technical College in December 1883, said, "I am perfectly certain that you have now in this system of technological examinations, "in the higher schools of technical instruction, such as the Finsbury College, and in this central institution of "which the body already exists, and of which the soul is in such a fair state of preparation that it may be "said 'mens agitat molem,' unquestionably and indubitably the nucleus of a vast growth of similar organisa-"tions. I have not the smallest doubt that in place of two or three high schools of technical instruction there "will soon be scores in different parts of these islands, and that you will have in this Central Institute a great "uniting point for the whole of this vast network, through which the information and the discipline which "are needful for carrying the industry of this country to perfection will be distributed into every locality in "which such industries are carried on."

(1) *See* the evidence of the Lord Chancellor (Lord Selborne, page 189).

Trust estate.

As regards the trust property of the companies and the charities of which they are the managers, and which are as above stated upwards of one thousand in number, we refer to the facts that (1) their existence at the present day, that is to say, the existence of several great and many small schools, and of eleemosynary charities, in the benefits of which almost every county in England participates, is due to the liberality and public spirit shown by the companies of London in past times; (2) the reports of the early Charity Commissions and those of Your Majesty's present inspectors of charities show that the same liberality and public spirit still exists among the members of the courts of the companies of London.

Control of (1) Chancery Division, (2) Charity Commission.

This part of the companies' property is also under the control of (1) the Chancery Division of Your Majesty's High Courts of Justice; (2) the Charity Commission, and we are not aware that any dissatisfaction exists as to the schemes framed either by the Court or by the Commission. Neither the general reform of the law of trusts nor the reorganization of the Charity Commission is a matter within the scope of the Commission with which we have been entrusted by Your Majesty.

Failure of the case against the Companies.

3. It is only right that we should state that if the inquiry in which we have been engaged is to be regarded as a proceeding between our colleague, the honourable and learned Member for Chelsea, acting as a Government prosecutor, and the companies of the City of London, the prosecution has failed, and the companies have been successful. They easily defeated Mr. Firth as regards every part of the case set up by him in his work called "Municipal London," and a motion by Mr. Firth, in favour of disestablishing and disendowing the companies, was rejected in our deliberations by a majority of ten to two. The gentlemen who appeared before the Commission to support Mr. Firth's views were, in our opinion, examined by us *ultra vires*, as they could not be "judged," we say it with respect, to be "competent by reason of their situation, "knowledge, and experience, to afford correct information on the subjects of the "inquiry" within the meaning of the terms of Your Majesty's Commission.

No movement against the City or the Companies.

4. So far as we can judge, no movement whatever exists in London either against the City or against the Livery Companies, and our honourable and learned colleague, Mr. Firth, and the few persons who are associated with him, have never been appointed by the citizens of London to act as their representatives as regards either so-called "Municipal Reform" or any other matters.

Suggestions of the majority.

5. As to the suggestions made by our colleagues in the principal report—

Restraint of alienation.

(1.) We consider that their recommendation with respect to "restraint of alienation" is invidious and unnecessary. No one supposes that the courts of the London companies are likely to sell and divide their corporate property, even if it were practicable for them to do so, which is itself doubtful, considering that they contain certainly 20,000, more probably 30,000, members, of whom two-thirds are poor persons. Moreover two bodies, not exactly, it is true, "in pari conditione," but of similar constitution, viz., Serjeants' Inn and Doctors' Commons, have actually sold and divided their corporate estates, yet it has never been proposed to apply "restraint of alienation" to the Inns of Court and of Chancery in general. Also nothing can be more unfair than to place the companies of London under a disability which is not to be imposed upon the companies of Bristol, Newcastle-on-Tyne, and the other provincial towns in which mediæval guilds survive.

Serjeants' Inn.

Doctors' Commons.

Provincial companies.

Limitation of trusts to fifty years.

(2.) We consider that the proposal to limit the validity of the numerous charitable trusts administered by the companies to a period of 50 years from their foundation is unjustifiable and inexpedient. There appears to us to be no pretence for treating the charities of the London companies in any exceptional way, and we are of opinion that the number of new charities would seriously decrease if the law were that the trusts declared by the founders were liable to be pronounced obsolete at the close of so short a period.

Appointment of a Commission.

(3.) We do not agree with our colleagues as to the necessity for appointing a Royal Commission for the purposes of the reorganization of the constitution of the companies, and the permanent allocation of a part of their corporate incomes to "objects of acknowledged public utility." We think, some of us speaking from experience as members of the courts of companies, that the former purpose is impracticable, as if their constitutions were much modified the London Companies might cease to be what they now are, in the words of the Grocers' excellent minute, (1) "nurseries of

Reorganization impraccharities and seminaries of good citizens." We also think that "objects of acknowledged public utility" are more likely to be promoted by the spontaneous action of the courts than by schemes forced upon the Companies by a Commission.

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(1) *See* supra, page 60.

Superiority of spontaneous action.

(4.) Any person having the slightest knowledge of the London Companies must be aware that patrimony is the very essence of their constitution. But for the hereditary nature of the privileges which they confer, they would probably have long ago ceased to exist, and few new members would now join them.(1)

Patrimony.

(5.) We do not regard the question of the Parliamentary Franchise of the liverymen as within the scope of Your Majesty's Commission.

Parliamentary franchise.

(6.) We agree with our colleagues in their recommendation with respect to the publication of the Companies' accounts, and we think the Companies have done right in themselves proposing that they should pay Succession Duty.

Publication of accounts. Succession Duty.

The proceedings of this Commission have, we regret to say, been attended with some interference from without, and an incorrect account of the recommendations of our colleagues has appeared in a morning newspaper. The scheme suggested in this account was one which no considerable number of Your Majesty's Commissioners would ever have sanctioned.

Publication of incorrect report

(Signed) RICHARD ASSHETON CROSS.
N. M. DE ROTHSCHILD.
W. J. R. COTTON.

I sign this report subject and without prejudice to the protest against the report of the majority of the Commission which I have previously made, but I am unable to agree with the passages relating to the Technical Education movement, of which I do not approve. I also dissent from the above paragraph relating to the publication of accounts.

3rd June 1884. W. J. R. Cotton.

PROTEST BY MR. ALDERMAN COTTON.

TO THE QUEEN'S MOST EXCELLENT MAJESTY.

May it please Your Majesty,

Being unable to agree with the report of the Commissioners appointed by Your Majesty to investigate the affairs of the Livery Companies of the City of London, I beg most humbly to be allowed to present to Your Majesty a protest against the same, upon the following grounds.

Protest against report.

1. That no evidence has been produced against the honour, honesty, or integrity of the Livery Companies; it is true that opinions have been expressed against them, but no facts have been before the Commission which in any way affect their high character, and the estimation in which they have always been deservedly held by the public.

No evidence against Companies.

2. Many opinions have been given to the Commission as to the manner in which the funds of the Companies should be used. I think the purposes of this Commission will be answered if their recommendations were presented to the Livery Companies as "suggestions." This would make the Commission far more fruitful than any arbitrary Act, as the Companies have always shown themselves ready to appreciate and to give effect to any practicable suggestions tending to increase their public usefulness, and would leave the management of the properties to those who thoroughly understand it. The appointment of any new body or bodies must result in many blunders, much waste, and much cost.

Recommendations should be presented to the Companies as "suggestions" only.

3. That the suggested interference by Parliament through the House of Lords, or otherwise, in "restraint of alienation" must be unnecessary, as the experience of centuries shows that no Company has ever contemplated or suggested the realisation of its property for the purposes of dividend or division.

Parliamentary interference unnecessary in "restraint of alienation."

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(1) The feeling of the members of the companies with regard to patrimony was well expressed by the Lord Chancellor (Lord Selborne) at the laying of the foundation stone of Finsbury College in 1881. "He never "had any other feeling than one of pride and satisfaction respecting his connection with the guild of the "Mercers' Company . . . . His ancestors for four generations had been so connected before him, and "he had no reason to be ashamed of anything which any of them had ever done in that or other relations of "life, *and that was a part of his inheritance which he should always greatly value.*"

Livery franchise representative, and ought not to be abolished.

4. That the Parliamentary franchise enjoyed by liverymen is held by men, some of humble and some of the highest position, thus forming a constituency as representative as any in the realm. It numbers over 7,000 members, who obtain their privileges irrespective of their political opinions. The abolition of the livery vote would not of necessity disenfranchise the man, as the large majority have votes through other holdings in addition to that given them by their livery, and as no one can enjoy two votes, the one which they may use is decided by the revising barrister. Admission to freedom *only* does not confer any Parliamentary Franchise.

Common Hall ought not to be abolished, uses set out.

5. The Common Hall is attended by the most active citizens, who take an interest in municipal affairs, it annually selects two aldermen who are returned to the Court of Aldermen to elect one as Lord Mayor, it also elects the sheriffs and some of the high officers of the Corporation. Common Halls can also be called together to discuss any question of public interest or emergency, and should not be abolished.

Interference by Parliament with Companies' private property spoliation.

6. That interference by Parliament with the private property of the Livery Companies must be an act of oppression and spoliation, although disguised under the terms of "restraint of alienation" or "allocated to the support of objects of acknowledged public utility," and that no new Commission could possibly manage the affairs of the Companies so successfully, usefully, or more honestly than the present members who represent a long line of illustrious ancestors.

Public audits not justifiable.

7. That no public audit or other outside interference with the private accounts of the property of the Companies is necessary or justifiable, the lands and the properties of the Companies having been acquired either by purchase, the money for this purpose being derived from the accumulations of fees paid by, or fines inflicted upon their members, or by gifts and legacies, also from members of their own body.

Members of the Companies never were exclusively of craft

8. That the returns made to the Commission show conclusively that the members of the Livery Companies were never exclusively of the trade the name of which was borne by their Company, and that for about 400 years the larger proportion of the members have not pretended to follow the crafts of their Companies, hence any forced devolution of their funds in aid of such trades would be a gross injustice. It cannot be pretended that any Company was established *solely* to promote the interest of the trade whose name it bears.

Description of what the Companies really are.

9. The Livery Companies are not to be classed with friendly or benevolent societies, with monastic institutions, or with political or other clubs. They are institutions peculiar to themselves, approaching most nearly to the masonic body, being composed always of members of the highest honour. They are and always have been foremost in promoting education, charitable and kindly acts, and other worthy eleemosynary objects. It is only possible to become a member of a Livery Company by patrimony, by apprenticeship, or by redemption (which last means by purchase or gift). Redemption is allowed by vote of the Court only after strict investigation as to the character and position of the applicant. Freemen and liverymen, even if they become members at the age of 21 years, would not be placed upon the Court in some Companies for at least 15 years, and in the majority for a much longer period. They are only admitted on payment of a large fine and after a second investigation as before. The average duration of the life of members in the Court is 12 to 14 years, during which time and for this period of their life only they enjoy the full advantages of the Company. To attain this position and to serve the offices of wardens and master is the ambition of all men connected with any Company, and I unhesitately affirm that the Livery Companies have exercised in the past, and do in the present, a very good and important moral influence not only upon citizens and city life, but upon public life generally.

As to income and expenditure.

10. The available annual corporate or non-trust income of the Livery Companies, without taking any allowance in respect of halls and other buildings used by the Company, or the plate, furniture, and other property not producing income, may fairly be estimated at about 510,000*l*. This sum is to be enjoyed by about 7,000 liverymen and 13,000 freemen, who in time, when qualified, become liverymen, making a total of about 20,000. Their annual expenditure may be estimated as follows:—

	£	
1. Education - - (about)	50,000	1. The statistics prove that the Livery Companies require no recommendation from the Commission to promote this. The suggestions therefore of those who have appeared before it are simply unnecessary and superfluous in this respect.

	£	
Brought forward -	50,000	
2. Eleemosynary gifts, pensions, &c. (about)	30,000	2. These, notwithstanding the ideas expressed by a few persons to the contrary, cannot tend to pauperise the recipients; on the contrary, they are productive of great comfort, chiefly helping those who are absolutely reduced by a sudden or great calamity, and who, but for the aid thus rendered, would become paupers. Beyond this the charities of the Companies, joined to other private and individual charity, tend to maintain the peace of the nation by helping those who cannot help themselves, while saving their self respect, and also assist the rates by keeping a large number from applying for parochial aid. These remarks apply equally to pensions. Assistance is never given to other than really deserving cases, and then only after full inquiry.
3. Hospitals and general charity (about)	70,000	3. These donations speak for themselves, and are an invaluable benefit to the institutions to whom grants are made. Without the aid of the Companies many of the Metropolitan hospitals, benevolent and charitable institutions would have to seriously curtail their usefulness, and probably some might have to close their doors. The amount spent for general charity goes in support of an immense variety of objects—poor boxes of the Metropolitan police courts, homes, refuges, orphan asylums, hospitals, missionary societies of all denominations, all the Mansion House funds, gardens and recreation grounds for the people, scientific objects, &c.
4. Salaries, wages, &c. (about)	60,000	4. These are not excessive, when the qualifications required by the holders of the offices and the character of the work done are considered. Before men are appointed to an office in any Company they are subjected to a strict examination as to their capacities and integrity. There are always many candidates who are subjected to a severe contest, and have to win an election before appointment, the most efficient being always selected. The Clerk is the only high salaried officer in every Company.
5. Hospitalities - (about)	75,000	5. The hospitalities of the Livery Companies do much good by bringing all classes together who otherwise in these days of suburban residence would never meet. At all dinners the guests, not members, far exceed those belonging to the Company, frequently including Royalty and the distinguished men of the day. In addition to this, the livery and their friends enjoy one or more dinners per annum, according to the custom and position of the Company to which they belong.
6. Fees - - (about)	40,000	6. The annual fees paid to individual members of the Livery Companies (which represent this total) are paid only for actual attendance and in consideration of the time spent in the transaction of the affairs of the Company, which varies from one to five or more hours. These fees do not amount in any Company to more, and in some to less than those given by Bank, Insurance, Co-operative, and other trading Companies for the same or even less services. Dividends are entirely unknown.
Carried forward -	325,000	

	£	
Brought forward	325,000	
7. Rates and taxes (about)	30,000	7. This completely refutes the statement that the Livery Companies do not contribute some share towards the State and local government expenses.
8. Rents of almshouses and schools, household expenses, and expenses in relation to livings (about)	75,000	8. The household expenses are by no means excessive. The other items are reasonable and necessary and productive of great good.
9. Sums expended in Ulster in support of churches and schools of all denominations. (about)	10,000	9. This requires no comment.
10. Improvement of estates in England and Ireland, maintenance of halls, &c. (about)	70,000	10. These are necessary to maintain the properties and work of the Companies, and no objection can reasonably be made thereto. It must also be borne in mind that the position of the halls in their different localities has tended to improve and maintain the respectability of the district in which they are placed.
	£510,000	

Number of members of court not important.

11. It cannot be of any real importance whether the Courts of the Livery Companies be composed of 10, 20, 30, or 40 members, when their surroundings and social positions are considered. It must be remembered that every liveryman aspires to attain the Court of his Company, and that to enable a fair proportion of the livery to do this, it is absolutely necessary that the Courts be large in number. It may also be pointed out that each member has paid a sum according to the status of his Company for his seat, and that he does not reach this till he is far advanced in life, that some die before and some soon after their election on the Court before they have received even a return of the fines and fees paid by them to their Company.

Colourable apprenticeship no wrong.

12. What is called colourable apprenticeship is no wrong, it being one of the modes of admission, and enables a man of moderate means to obtain for his son a position in the Company, which otherwise he would not have been able to do, and which may be to his advantage in after life. It must be remembered that this has been the custom of centuries.

Charitable and trust estates under control of Charity Commission.

13. The administrative control of charitable and all trust estates has long since passed away from the Livery Companies, and they are only now administered by them under the order and approval of the Charity Commissioners at cost and trouble to themselves, and undoubted advantage to the trusts.

As to interest of all members in property of Company.

14. It is true that only 1,500 of the livery out of a total of about 20,000 liverymen and freemen are members of the Courts of the Companies at any one time, but each qualified liveryman and freeman in rotation, if life allowed, would become a member. The whole of the remaining 18,500 members have a vested interest in the properties of the Companies, and enjoy advantages and privileges as such. There is no evidence and not even a suggestion of any contemplated payment of any dividend or any misappropriation or division of the funds, and nothing of the sort could legally take place without the consent of each and every member, be he liveryman or be he freeman.

Members of Companies are satisfied with present administration.

15. The present administration may be said to be in almost thorough accord with the feelings of every member of the Companies; the only two adverse opinions given before the Commission were contradictory, one being of opinion that his Company did too much, the other that his did too little.

Liverymen do not pay annual subscription.

16. It has been stated that the liverymen only pay 1*l.* a year for their privileges. They do not pay any annual subscription (except quarterage in some Companies, which amounts from a few pence to a few shillings per annum), but each pays down on admission sums varying from 150*l.* to 200*l.* in the more important, and from 15*l.* to 50*l.* in the lesser Companies, for which he practically receives no return until he is admitted on the Court, when a further sum of from 25*l.* to 250*l.*, according to the position of the

Company, has to be paid. All admissions being very carefully made as stated in paragraph 9 of this protest, it follows that but very few are admitted in any one year, and thus the united payments for admission may only amount on an average to the sum mentioned. I beg to enter a most emphatic protest against the partisan spirit which has prompted the publication of misleading statements.

Summary of the position of Companies.

17. Finally, I respectfully submit to Your Majesty that the Livery Companies are middle-class institutions, and have always been well, honourably, and honestly managed; (against this assertion no evidence has been adduced) and any attempt to destroy them will seriously affect the middle class of the City of London and the Metropolis, and, possibly, hereafter, through them, the whole of this class throughout the realm; it would be one more advance towards centralization, which, if established, will ultimately divide the people of this country into two classes, the highest and the lowest, or aristocracy and serf; a state of affairs which, by preventing union in a common cause, led to the subjection of Poland to Russia. That they pay all rates, taxes, &c. ordinarily paid by landlords and tenants, including income tax on all moneys annually received by them. That the pensions, gratuities, and doles, which are curiously objected to by some parties, as previously stated, save the rates, by keeping the recipients from applying for parochial relief, as by so doing they would forfeit all claim to any gift from their Company. Almost every object brought before the Commission as worthy of being assisted from or through the funds of the Livery Companies, such as education (general and technical), hospitals, public playgrounds, accidents of moment, in short, everything that charity, philosophic, or scientific bodies can suggest, has from time to time been profusely assisted by the Livery Companies. Their income, as stated in paragraph 10 of this protest, may be estimated at 510,000*l.* per annum, out of which under 35 per cent. is spent on the members, including in this amount 60,000*l.* for salaries, wages, &c., a position which I humbly venture to think very few bodies of men in similar circumstances could improve, leaving 335,000*l.*, of which 70,000*l.* is applied towards the improvement of estates in England and Ireland, and in the maintenance of halls, &c., 30,000*l.* in payment of rates, taxes, &c. the balance being applied in supporting good, useful, and charitable objects. That the agitation against the Livery Companies is but small, and must be so as their work, constitution, and uses must be seen, felt, and known to be appreciated, and this every man in the kingdom can now do upon a reference to their returns. To upset the existing order of things by the appointment of new and most probably more expensive bodies of management, would, independently of the great injustice done to the rights of property, produce, as very many pretended reforms in the past have done, no better, and most likely far worse results. No public bodies of importance (not even those who appeared before the Commission) have advocated or sought for a distribution of the properties of the Companies. They have very naturally expressed a hope that they might, in the event of any distribution, be allowed to share, in order that what they must lose under the altered position of the Livery Companies, might, in some way be made good. The Livery Companies have no money in hand, the whole of their balances being applied, as has been previously shown, to works of acknowledged public utility and goodness. The Charity Commission have in all cases reported most favourably of the Companies, showing that they are most excellent trustees, who spend a much larger amount than they are bound to do on all the charities they administer; and I would also humbly beg to call Your Majesty's gracious attention to the fact that nearly all important civil actions attacking the private properties of the Companies have been decided in their favour. Any interference with the property of the Livery Companies must tend to create mistrust and destroy confidence in all benefit and other societies which tend to inculcate habits of saving and thrift.

Much has been said about the power of the Parliament to take possession of the properties of the Livery Companies. I do not doubt its *power* but I do its *right* to commit a gross injustice and wrong.

Attention called to protest of Companies.

18. Lastly, may it please Your Majesty to allow me humbly to call your gracious attention to the protest against the abstraction of the private properties of the Livery Companies which accompanied each return to the Commission.

(Signed) W. J. R. COTTON.

April 10*th*, 1884.

MEMORANDUM BY MR. FIRTH.

The presentation of "Statements" by some of the companies, containing strong personal reflections upon myself, and practical impeachments of my writings, renders it necessary for me to add to the Report (in the appendix of which such statements may be found) a memorandum setting out the facts on which the impeached propositions rest.

To a considerable extent the refutation of these Statements is already contained in the Report, but this is not the case as to the whole of them, and it is, therefore, necessary for me to deal with them specially.

I shall confine myself to the additional observations supplied by Sir Frederick Bramwell and Mr. Prideaux, on behalf of the Goldsmiths' Company, and to the "Statement" by the Grocers' Company.

Apart from a good deal of irrelevant personal matter, to which I shall allude later on, the chief attack of these two Companies is directed against nine propositions contained in my book "*Municipal London.*"

With respect to this book, I may say generally that there was at the time when it was written very little available knowledge of the working of the Livery Companies. It was based as respects such matters upon information supplied from responsible sources, and those who take the trouble to compare its statements of fact and conclusions of law with those that are contained in this Report will find perhaps the most complete vindication of them both that has ever been afforded to any book written under such difficult conditions. The conclusions from such facts and law are summed up in "*Municipal London*" in nine propositions, and of these the Goldsmiths' Company say that they are all "either partially or entirely unfounded, except so far as they contain matter of opinion," and the Grocers' Company are not less emphatic.

The nine propositions set out in "*Municipal London*" at page 635 are as follows:—

1. The London Livery Companies are an integral part of the Corporation.
2. The property of the Companies is public trust property, and much of it is available for municipal purposes.
3. The Companies are trustees of vast estates, of which London tradesmen and artizans ought to be the beneficiaries, but such trusts are disregarded.
4. The Companies are also trustees of estates applicable to charitable uses; they fail to apply to such uses the whole of the funds fairly applicable to them.
5. The Companies were incorporated to benefit trade, to train artizans, and to repress bad workmanship; they perform none of these functions.
6. The Companies are, by Charter, to be composed of members of a given trade in many cases, and are legally compellable to admit members of it. They admit members irrespective of trade, and impose restrictions on those who are admissible.
7. The Companies are subject to the control of the Corporation, but as the members of that body are members of the Companies also, and are promoted in the latter concurrently with their advancement in the former, such control is never enforced.
8. The Companies are subject to the control of the Crown, and their lands and monopolous privileges were only granted on condition that they performed certain duties; they have ceased to perform the duties, but they continue to hold the lands.
9. The continuance of a large amount of land in the heart of the City, and in the north of Ireland, in the hands of corporate and unproductive bodies, is a hindrance to commerce and a loss to the public revenue.

PROPOSITION 1.

"*The Livery Companies are an integral part of the Corporation.*"

Sir Frederick Bramwell and Mr. Prideaux, on behalf of the Goldsmiths' Company, say that this proposition "is entirely unfounded, and is directly contrary to a legal

" decision cited by Mr. Firth in support of it." The Grocers' Company also deny its truth.

In support of the truth of the proposition, I may refer to the historical facts which are detailed in the preceding report, and to the opinion of Mr. Horace Davey, Q.C., printed in the Appendix, where he says, " I think the Companies must be considered to " have been constituent and integral parts of the Municipal Corporation of the City " of London. This is shown by the facts—(1) that no person could be a freeman " of the City who was not a member of one of the Companies; (2) that the con- " stituency which elected and still formally elects the Lord Mayor was composed " of the liverymen of the Companies; (3) that liverymen, as such, enjoy the parlia- " mentary franchise for the City, subject to certain conditions of residence imposed " by statute; (4) that the old mode of raising money in the City was by the " Corporation apportioning the sum required between the Companies, and issuing a " precept to the Companies to raise their quota from their members (*see* in The " Skinners' *v.* Irish Society, 12 Cl. & Fin.)"

These references may be regarded as decisive, and thus the Companies are at once brought within the principles applied to Municipal Corporations in 1835. It may, however, be useful to draw attention to some further considerations supporting the same conclusion.

And, first, as to the statutory provisions of the 11 Geo. I. c. 18, which still controls City elections.

By this statute it is provided that all elections of mayor, sheriffs, chamberlain, bridgemaster, and auditors are to be made by members of Companies, who are on the livery, and in case of a poll each elector is required to swear that he is a freeman of London, and that he has been for 12 calendar months on the livery of a particular Company. The Lord Mayor may by precept require the master and wardens of the various Companies to cause their clerks to return lists of all the liverymen upon oath. And it is further provided by section 14 that no person or persons whatsoever shall have any right or title to vote at any election of a mayor, &c. who have not been upon the livery for 12 calendar months before such election, and who have not paid their respective livery fines.

If the Livery Companies as such are not an integral part of the Corporation, then their dissolution would not affect it. But, if they were dissolved, it is manifest that there could be no election of either Lord Mayor or sheriffs, and the Corporation itself would *ipso facto* be dissolved also. R. *v.* Bellringer, 4 Durnford & East, 810; R. *v.* Miller, 6 D. & E., 268; R. *v.* Morris, 4 East, 17; and R. *v.* Pasmore, 3 D. & E., 241. It is pointed out in the preceding Report that "the freedom of a Company " was, down to the year 1835, a condition precedent to the freedom of the City." In other words, the Companies formed the Municipality. See also evidence of Mr. Pulling before the Commissioners of 1854, Question 881: "A person cannot acquire " the rank of citizenship without being a member of one of the Companies. The " Companies, therefore, form legally an integral part of the Corporation of London."

The inference from the facts is, therefore, clear, and was accepted as clear by the Municipal Commissioners of 1835, who inquired into them on the basis of their being a part of the Corporation. It is also to be remarked that the Corporation of the City of London have invariably held this contention. It has been repeatedly held good in Courts of Law. In Wannell *v.* The Chamberlain of the City of London, quoted Question 3,013, a return that the Corporation of London " consists of several societies, guilds," &c. was held good. In the subsequent case, Rex *v.* Bosworth, 1 Strange, 1,111, a return by the Chamberlain of the City that " the Corporation consists of several " guilds and fraternities into one of which persons entitled to freedom are admitted " was also held good. Notwithstanding this apparently unassailable contention, the Grocers' and Goldsmiths' Companies have suggested to the Commissioners that a case decided in 1775, and known as Plumbe's Case, has practically reversed the previous law, changed the constitution of the City, and dissociated the Companies from it. The case is not reported in any of the recognised reports, but may be found in an extremely rare book, edited by the solicitor of the City, John Roberts. The Companies, in their statements, have entirely misapprehended the effect of the case. The Grocers' Company have not even taken the trouble to ascertain the elementary facts in the case, as they say that it arose out of some "impudent proceedings of Lord Mayor Wilkes," when, as a matter of fact, it arose upon a precept of Lord Mayor Beckford, whose statue, as a chief defender of civic privileges, may now be seen in the Guildhall.

Having regard to the severe contention which exists about this case, and to the stupendous issues which the Companies suggest were decided on it, I think it necessary to set out the facts.

At a Common Hall, held June 25, 1769, after election of sheriffs, chamberlain, &c., it was resolved to petition His Majesty, praying for a redress of grievances. Such petition to be presented by the Lord Mayor and three of the City representatives in Parliament.

Such petition was presented, but the King gave no answer.

A committee of the livery was then appointed on 28th September 1769.

March 1st, 1770. They present a memorial to Common Council, asking them to convene liverymen to take further measures. This was agreed to. Lord Mayor Beckford sent precept to master and wardens of the various Companies, requiring them to meet on 6th March.

The livery met on that day in Common Hall, and agreed to an address, remonstrance, and petition to be presented to the King.

The King gave answer from the Throne.

22nd March 1770. Court of Assistants of Goldsmiths' Company resolved that for the future the wardens should not summon the livery to the Guildhall, except for purposes of elections, without express approbation or consent of the Court. Grocers and Weavers adopted similar resolutions.

9th April 1770. Lord Mayor sent precept to the master and wardens of Companies to appear on April 12th, to receive King's answer, and to take into consideration these resolutions.

April 12th, 1770. Common Hall held. King's answer reported, and proceedings of Goldsmiths, Grocers, and Weavers referred to the committee of the livery.

September 27th, 1770. Committee of livery memorialized Common Council for a joint committee of the Court, on the subject of reference, which was agreed to and appointed.

Case prepared for opinion of counsel: Mr. Wedderburn (afterwards Lord Loughborough), Serjeant Glynn, Mr. Denning, and the Common Serjeant, Mr. Nugent.

Their opinion was that the "head officer of every Corporation may convene the body "or any class of it *whenever he thinks proper.*" And that therefore the Lord Mayor, in convening the Common Hall, acted within his right, and that officers of Companies refusing to summon their respective bodies were punishable by disfranchisement.

June 5th, 1771, at Common Hall, resolved that informations of disfranchisement should be filed in the Lord Mayor's Court against wardens, &c. of the Goldsmiths, Weavers, and Grocers.

They were accordingly filed, but the only one tried was that against Alderman Plumbe, warden of Goldsmiths. Verdict of guilty given by special jury. And the judgment of the Court was that he should be disfranchised.

This was affirmed on a motion made in arrest of judgment. On this, a writ of error was brought, which was argued several times before the judges assigned specially for that purpose.

July 7th, 1775. The final decision was given at a Court of St. Martin's-le-Grand (being a Court of Error from the Mayor's Court) upon a commission directed to Sir William de Grey, Lord Chief Justice of Common Pleas, Sir Sydney Stafford Smythe, Lord Chief Baron of the Court of Exchequer, Sir Richard Aston and Sir William Ashhurst, two justices of Court of Queen's Bench, and Mr. Baron Perrott (who afterwards resigned).

Mr. Justice Ashhurst, in his judgment, took exception to the information not setting out with precision "such a certain description of fact imputed to the defen- "dant as that the court may form a judgment whether it amounts in point of law "to a crime in the defendant or not."

He pointed out that the information did not set out the terms of the address, and "if the address was ever so proper, but had nothing to do with the corporate relation "of the livery, he was not then bound in duty to obey the precept." [The direct inference from this is—and this is supported by the judgment of the rest of the judges—that he would be bound to obey any precept in respect to the corporate relation of the livery.]

Mr. Justice Ashhurst came to the conclusion that there was no crime in the defendant, on the ground that the address did "not contain any matter that concerned "the City of London in its corporate capacity." [Here again, the clear inference is, that if the corporate capacity of the City were involved obedience must follow.] He says that the presentation of a petition "to the King has nothing to do with "the corporate duties of this or of any other city. A corporation as such might "do it if they please, but it is not a matter of corporate obligation, and if it is "not a matter of corporate obligation, the refusing to execute that precept which "merely concerned that purpose, which was not a corporate one, cannot be a

" corporate offence, and therefore, in my opinion, cannot be a ground for a motion." [Throughout these judgments the Companies are treated and regarded as an integral part of the Corporation, and subject to its corporate head in all corporate matters. For example: If the impending London Government Bill were to propose the extension of the City Corporation over the whole of London, there can be no doubt whatever that the Lord Mayor would be entitled to precept all the Companies to meet and consider such matter, and that upon these judgments, as they stand, disobedience by the wardens to such precepts would be punishable.]

Mr. Justice Aston's decision went upon the ground, that Alderman Plumbe's offence was a bare omission, a mere contempt at the most, and not a sufficient cause of disfranchisement.

" There is no instance," he says, " where one omission has been held sufficient " to deprive a man of his freehold."

He considered the information bad, on the ground that a single omission of a mere " ministerial act is not a sufficient cause of disfranchisement."

He further says, that " in his opinion that there was no charge at all in a corporate capacity," and he considered it did " not relate at all to the livery of the " Company in their corporate capacity."

Lord Chief Baron Smythe held that there was not a sufficient offence for such a punishment. He confines the power of the Mayor to summon the livery to some corporate purpose, and with respect to the summons in question says, " I do not find " here by this summons that it appears to be for any corporate purpose whatever."

And he held that if it was a " breach of duty in the defendant it was in another " capacity as warden of the Company of Goldsmiths and not as freeman."

Lord Chief Justice De Grey considered that the information was insufficient in a good many particulars in not setting out what was the power and authority of the Mayor, what the duty of the wardens, the constitution of the Livery Companies, and the relation the remonstrances to the King bore to any corporate purposes of the City or of the Companies, &c. And in the absence of this information, he says, that " it is not possible for any man living to form an opinion whether the franchise " is forfeited."

[Nothing is more clear than that the reversal of the judgment of disfranchisement was not given upon the ground that the precept from the Lord Mayor was *ultra vires*, and, as shown above, Lord Chief Justice De Grey complains that they had not before them in the information evidence upon which they could form any opinion upon this question.]

He admits, however, that the courts of Westminster Hall are bound to take judicial cognizance of certain things as that the Livery Companies are subordinate " and auxiliary " to the general body of the Corporation, " that they are bound by " the acts of Common Council, particularly affecting them, and that by Act of Par- " liament they have a large share in the election of magistrates." He regards them as a part of the City now, " though not a part of the Corporation of the " City originally."

In the absence of further knowledge, he says, " we cannot know what this " remonstrance was, or how it related to the corporate business of the City."

Chief Justice De Grey goes rather further than the other judges in the matter of the authority of the head of the Corporation, and in addition to admitting the right of the Mayor to summon the Companies in matters affecting the corporate capacities of the City, suggests a case where " the Lord Mayor, Aldermen, and Livery " might have business on which they might think it proper to address the Crown," and that " in such a case it would be the duty of the warden to obey the precept."

He was further of opinion, " that it was not a wilful contumacy which could possibly be a crime."

The City Solicitor, in reviewing and editing the judgments, complained, with evident reason, of the want of knowledge of the City constitution which was displayed by the learned judges in many parts of their judgments.

The City's contention was, that the City " being the greater body, necessarily " comprehends all the lesser with which they must of course be subject or " subordinate."

It is, perhaps, needless to add that the Lord Mayor continued to summon the livery for other than electoral purposes long after this remarkable decision by precept to the wardens summoned to the livery to consider the London Government Bill. The decision itself neither had, nor purported to have, any effect upon the City constitution whatsoever, and yet two of the largest of the London Livery Companies have made themselves responsible for the suggestion that it changed the constitution and the practice of the Corporation, and, further, have made it a matter of "grave charge" against me that I have misrepresented the effect of the case. I quite understand that the exigencies of the Companies' position render it necessary for them, at all hazards, to repel the contention that they are integral parts of a public Corporation; but I cannot permit them to do so at the expense, not merely of fact and of law, but also by charging me with misrepresenting a case which, when fully set out, confirms what I said of it in every particular.

The Goldsmiths' Company further endeavour to contravene the proposition as to position of the Livery Companies by quoting an act of the Common Council of the 4th November 1651. With respect to this "act of Common Council" it is sufficient to say :—

a. That it does not in any way support the Goldsmiths' Company's suggestion.
b. That it was never put in force even for a single year (*Report to Court of Common Council from Committee on Election Act*, 11 *Geo.* 1, *pages* 11 *and* 12.)
c. If it had been put in force, it would have been legislatively superseded by the 11 Geo. 1. c. 18.

Proposition 2.

"*That the property is public trust property, and much of it is available for Municipal purposes.*"

The truth of this proposition is abundantly supported by the Report of the Commissioners and by the recommendation that part of the corporate property should be appropriated for municipal purposes within the metropolis. The property of the Companies is that which is (*a*) distinctly charitable, and (*b*) corporate property. The right of Parliament to deal with the latter has been established ever since the passing of the Mortmain Acts, and it is upon the well-recognised principles on which intervention by the Legislature has proceeded, that the present Report of the Commission is based. Moreover, these Corporations hold their properties by Charter, and, as was held in Sir James Smith's case (4 Mod. 53), incorporation by a charter in itself creates a trust, and where the trust is broken the charter itself is forfeited. So far as the real estate of the Companies is concerned, which has been acquired or is held under the charters conferring power of holding land in mortmain, it would appear that they are subjects of a charitable trust, and this is the opinion given to the Commission by Mr. Vaughan Hawkins.

And further, with respect to realty, it may be noticed that the Commission have already decided that they are public bodies holding such property for public purposes.

Proposition 3.

"*The Companies are trustees of vast Estates of which London Tradesmen and Artizans ought to be the beneficiaries, but such trusts are disregarded.*"

The Goldsmiths' Company state that this proposition "is untrue, and that all trusts "reposed in the Companies have been faithfully fulfilled," and the Grocers' Company state they "are unaware of the existence of any such trusts."

The trust property here referred to is of course the general corporate property of the guilds, as distinguished from that which is already controlled by the Charity Commissioners. The whole history of these Companies conclusively shows that they were craft guilds, mainly brought into existence by the association of trades for the regulation and government of trade: that they were enriched by the liberality of the members of such trade, that nearly the whole of such property was acquired by or given to them as such trade societies, and on the understanding that they should teach the trade, that they should admit to the freedom all persons practising the trade in whatsoever capacity, and that they should benefit and assist such persons of the trade as might require assistance. In many cases the charters expressly provide this, see, for example, the Goldsmiths' Letters Patent, 23 & 24 Edward III., 16 Richard II., and subsequent confirmatory charters. And as to the Grocers', see charters 7 Henry VI. Where property has been given by members of a guild it was in most cases given to them as such trade association, and with the view of the full carrying out of trade purposes.

In Equity, if not indeed also in Law, these classes of persons ought, so long as the Companies are continued, to possess an interest in funds so acquired, and if the

Companies are dissolved, the funds according to the precedents already set by Parliament ought to be made available for purposes of acknowledged public utility. The Commission has already reported to this effect, and it is needless to discuss the matter further.

The proposition that such public trusts are disregarded is sufficiently proved by the evidence of the Companies themselves as to the appropriation of the property to entirely different purposes.

PROPOSITION 4.

"*The Companies are also trustees of estates applicable to charitable uses,*" *and they fail to apply to such uses the funds fairly applicable to them.*"

The Goldsmiths' Company state that this proposition is untrue, whilst the Grocers' Company content themselves with the statement that they discharge strictly all their legal trusts, and supplement them very largely from their corporate funds. This proposition applies to the distinctly charitable property of the guilds. It is completely upheld by the report. It has been supported by decided cases, as, for example, in *Attorney-General* v. *Merchant Taylors*' (Donkyn's case), the *Attorney-General* v. *the Waxchandlers' Company* (Kendall's case), and even in the Grocers' statement, page 8, they state that an inquiry of mine as to the present appropriation of Pennyfather's and Wardall's trusts for the poor are "baseless imputations," although they themselves admit that no part of these trusts are now appropriated to the poor. As the proposition is adopted and extended in the Report of the Commissioners, and constantly illustrated in the returns of the Companies, it is not necessary to allude to it any further.

PROPOSITION 5.

"*That the Companies were incorporated to benefit trade, to train artizans, and to repress bad workmanship. They perform none of these functions.*"

The Grocers' Company deny that they were incorporated for any such purpose, whilst the Goldsmiths' Company admit the incorporation, but assert that they perform the functions. The functions now performed by the Goldsmiths' are those conferred upon them by Statute. With regard to the assertion of the Grocers' it is sufficient to refer to the words of their very last charter, that of 2 William and Mary, in which their trade powers and privileges are fully confirmed. These trade functions of the Grocers came down from the very foundation of the Company. They had Letters Patent confirming them repeatedly granted. They were made garbellers of spices within the City, and Herbert gives many instances where culpable members of the fraternity were fined for adulterating goods, &c., and as to the Goldsmiths' see charters of 16 Richard II., 20 Henry VII., and confirmatory charters of 1 Hen. VIII., 1 Edward VI., 1 Mary, 3 Elizabeth, and 2 James I.

The Goldsmiths' Company admit their duty to train artizans, although the working goldsmiths of London are excluded from their Company and its benefits. They say "they help to train artizans by offering prizes for excellence in design and execution of work in the precious metals." They further assert that they assist societies in connection with the trade, but it will be seen (see questions 2,812 and 2,994) that in 10 years they only devoted to this purpose 6,448*l.* out of a current expenditure of half-a-million sterling, being at the rate of rather less than 1½ per cent. This expenditure in connection with the trade may be usefully contrasted with an expenditure on Courts committees, entertainments, housekeeping, salaries, repairs, and maintenance generally of over 200,000*l.* (Question 2,994).

The Goldsmiths' exercised absolute control over the goldsmiths free of their Company in the City, and over the working goldsmiths over every part of the metropolis, 2 Herbert, 130. Many of the Companies have exercised control over their trades down to a late period; see Cook *v.* Loveland, 2 B. & P., 31. Down to a recent period freedom of the City was a condition precedent to carrying on business in the City, and freedom in a Company was a condition precedent to freedom of the City; Clark *v.* Denton, 1 B. & Ad., 92.

In *Clark* v. *Le Cren*, 9 B. & C., 52, the mayor, aldermen, and sheriffs returned to a writ that the Companies were "established for the carrying on of trade."

Most of the Companies have gone even further, and have placed it out of their power effectually to control the trade by declining to admit or elect to office persons in any way connected with it. The returns of the Companies published with this report show this to be the rule rather than the exception. Even in the Goldsmiths' Company, where under their charter they are bound to elect "honest, lawful, and sufficient men best skilled in the trade" to enquire, reform, and punish, they have not merely declined to elect leading goldsmiths in favour of persons not connected with the trade, but have even elected wardens who are wanting in that qualification, and but one quarter of the Court have any connection with the trade whatever. It is moreover contended that the indenture of apprenticeships in City Companies only bind the master to teach the apprentice his own trade whatever that may be, and that therefore a clergyman on the Goldsmiths' Company may take an apprentice and fulfil the requirements of the indenture by teaching him theology. The following copy of an ordinary indenture in the Goldsmiths' Company is therefore appended in order that the value of this contention may be estimated. It was produced to the Commission by one of the Court of Assistants :—

"THIS Indenture Witnesseth that

doth put himself Apprentice to

a Citizen and Goldsmith of *London*, to learn his Art of a

and with him, (after the manner of an Apprentice) to serve from the day of the date of these Presents, until the full end and Term of Seven Years, thence next ensuing, to be fully complete and ended. During which Term, the said Apprentice his said Master faithfully shall serve, his Secrets keep, his lawful Commands everywhere gladly do. He shall do no Damage to his said Master, nor see it to be done by others; but that he to the best of his Power shall let, or forthwith give Warning to his said Master of the same. He shall not waste the Goods of his said Master, nor lend them unlawfully to any. He shall not commit Fornication, nor contract Matrimony, within the said Term. He shall not play at Cards, Dice, Tables, nor any other unlawful Games, whereby his said Master may have any Loss. With his own Goods, or others during the said Term, without Licence of his said Master, he shall neither buy nor sell. He shall not haunt Taverns nor Playhouses, nor absent himself from his said Master's Service by Day nor Night unlawfully; but in all things, as a faithful Apprentice, he shall behave himself towards his said Master, and all his, during the said Term. And the said Master, in consideration of the Premises, and of the sum of

of lawful money of Great Britain in hand now paid to him, the receipt whereof he doth hereby acknowledge, his said Apprentice, in the said Art which he useth, by the best means that he can, shall teach and instruct, or cause to be taught and instructed; finding unto his said Apprentice, Meat, Drink, Apparel, Lodging, and all other necessaries, according to the Custom of the City of *London*, during the said Term. And for the true performance of all and every the said Covenants and Agreements, each of the said Parties binds himself unto the other by these presents. *In Witness* whereof, the said Parties to these Presents have hereunto interchangeably set their Hands and Seals, the

Day of in the Year of the Reign of our Sovereign LADY VICTORIA, by the Grace of God of the United Kingdom of *Great Britain and Ireland*, Queen, Defender of the Faith, and in the Year of our Lord one thousand eight hundred and

Sealed and Delivered
in the Presence of

☞ This Indenture must be immediately enrolled at the *Chamberlain's Office, Guildhall.*

—And on the Death or Change of Master, the Apprentice must come to *Goldsmiths' Hall*, to be TURNED OVER to the Executor or new Master, and afterwards attend at *Guildhall* to be registered, *or he will lose his Freedom.*

Note.—By an Act of Parliament every Indenture, Covenant, Article, or Contract, must bear Date the Day it is executed; and what Money or other Thing is given or contracted for with the Clerk or Apprentice, must be inserted in words at Length; otherwise it will be void, the Master or Mistress forfeit Fifty Pounds, and another Penalty; and the Apprentice be disabled to follow his Trade, or be made Free.

Proposition 6.

> "*The Companies are by charter to be composed of members of a given trade in many cases, and are legally compellable to admit members of it. They admit members irrespective of trade, and impose restrictions on those who are admissible.*"

The Grocers say this is "inapplicable to their Company which was never a trade guild." The last note answers this denial of the Grocers, as does also the Report of this Commission. Nothing can be clearer as to the right of admission to the Grocers' Company than the words of the charter of William and Mary, "And further "of our special grace, &c., we do give and grant that all and singular person and "persons *now exercising* or using, or who *hereafter* shall exercise or use, the mystery "of Grocers, or the arts or mysteries of a confectioner, druggist, tobacconist, tobacco "cutter and sugar refiner, or any of those within our City of London, the suburbs of "the same, or within 3 miles, &c., that they from henceforth *shall* and may be able "to be made free men of the same society or mystery of Grocers of the City of "London." There is very little reason to doubt that upon the true construction of this charter all persons now carrying on the several trades named could insist on being admitted to the freedom of the Grocers', and the same applies to the other guilds. In Wannel's case it was held that when an act of common council required all joiners in London to take up their freedom in the Joiners' Company under a certain penalty, a mandamus would lie to compel the Company to admit them.

In his "*Laws of London*," p. 79, Pulling says, "It may, nevertheless, however, "admit of considerable doubt whether every tradesman within London has not still "an inchoate right to be admitted a member of that particular Company having the "superintendence over his trade. These Companies are not voluntary societies, consisting of persons chosen by voluntary consent; nor can the admission of members, "as in the corporation at large, be considered to be settled by prescription, and confined to persons possessed of particular qualifications, as apprenticeship or patrimony; on the contrary, the charters of all the incorporated Companies expressly "state them to be composed of the working members of the different trades or "mysteries which they represent; and further, in many instances require all "persons in such trades, within certain limits, to become members thereof."

There is abundant evidence in the returns of the Companies to the admission of persons irrespective of the trade they follow, and the imposition of restrictions upon the admission of those who do follow it, as alleged in the proposition. Upon this matter I think the language of Pulling is worthy of special note. He says, "The "higher Companies have many of them provided against the chance of indiscriminate "admission, by imposing heavy fees thereon, but it may be also doubted whether "these payments could, at this day, be enforced in a court of law, wherever the *primâ* "*facie* right to admission is established.

"It has been repeatedly decided that a byelaw that any person not otherwise "entitled to the freedom should be admitted a member of a public corporation, upon "payment of a certain sum, is void, as an essential alteration of the constitution of "the corporation (Rex *v.* Breton, 4 Burr, 2,260; City of London's case 8 Co. 126 "b.; see also Rex *v.* Bird, 13 East, 384). Much more, it is conceived, would the "system adopted by many of these corporations, which are expressly established for so "important a purpose as the protection of trade, be held bad, by which the freedom "is sold to persons wholly unconnected with the trade or mystery they profess to "represent."

This last reference to the doubtful legality of admission by redemption (*i.e.*, purchase) is very significant. In my opinion the continuance of such a form of admission is absolutely indefensible.

Proposition 7.

> "*The Companies are subject to the control of the Corporation.*"

This is, according to the Goldsmiths' Company, "either partially or entirely unfounded." The Grocers' Company deny it altogether, and say the matter was brought to an issue and settled in 1773, meaning Plumbe's case, which, as I have shown, settles nothing of the kind.

The evidence of the exercise of such control is voluminous, and extends down to a late period. The Goldsmiths' Company itself has repeatedly been the subject of such control. It has obeyed precepts of the mayor and chamberlain to provide men for City pageants (Herbert ii., 135), and also precepts of the mayor only to provide men for the King's use (Herbert ii., 137). It has obeyed precepts to contribute in money for the relief of the City poor, and also to contribute coals for the poor (Herbert ii., 144). Quarrels between the Company and its members have been referred to the mayor and aldermen for settlement (Herbert ii., 145), and the Lord Mayor punished members of this Company for disobedience to its wardens (Herbert ii., 171). See also Pulling's Customs of London under head "Trade."

The Corporation has constantly exercised the power of compelling the Companies to receive members (see Herbert i., 316 note where the Drapers' Company refusing to receive an alderman were compelled to receive him), and another case where an alderman refusing to join one of the large Companies was fined and committed to Newgate.

This control also has been recognised and upheld in courts of law. It was so upheld in Wannel's case quoted *supra*, where the Joiners' Company were enjoined by mandamus to admit, and in the case of King *v.* Clerk, 12 Mod. 114, which was a case of the committal to Newgate of one J. C. for refusing to take up the livery of the Vintners, where the keeper of Newgate returned to a Habeas Corpus, inter alia, that the Court of Mayor and Aldermen had "the government of all Companies, and that "upon complaint made before them by the master and wardens of any Company of "any person duly chosen on the livery refusing to take up such livery, that the Court "of Aldermen used to commit such persons so refusing to the Sheriff or some other "officer of the City until he consented and declared that he would take upon himself "the said office, or otherwise be discharged by due course of law."—Holt, C. J., and the whole Court held this custom to be good. Upon a technical omission in the return itself the prisoner was discharged, but the custom as to the control by the Corporation of all the Companies and of their members which was here upheld by the Court has never been subsequently impeached, and is still the law.

It appears, according to the return in this case, that at this time "there was a "Court of Record held in the said City before the Lord Mayor and Aldermen at "Guildhall twice in every week, where rules and orders were made in all things relating "to the several Companies for the better government of the City, and that the said "Companies were under the correction of that Court," 5 Mod. 156, see also 5 Mod. 320.

In the case of *Rex* v. *Harrison*, decided in 1762 and reported 3 Burr. 1322, the decision in Wannel's case was upheld and adopted by the whole Court, consisting of Lord Mansfield, Denison, J., Foster, J., and Wilmot, J. In that case Sir Thomas Harrison, the City Chamberlain, returned to a mandamus requiring him to admit one W. Cope into the freedom of the City, that there are several guilds, Companies, &c. in the City of London, which guilds, Companies, &c. have used and ought to have the overseeing, correction, and government of the several persons using and exercising the several arts, trades, mysteries, and manual occupations belonging to such several societies, guilds, fraternities, fellowships, and companies, in the use and exercise of such arts, trades, mysteries, and manual occupations within the said city and liberties thereof; and that the said several societies, &c. "*for all the time aforesaid have used, "and ought, and yet use and ought, to be under the order, government, and regulation of the "mayor and aldermen of the said City for the time being with the commonaliy of the said "City for the time being, in common Council assembled;*" and it was held by all the judges, that an act of Common Council of 20th June 1727, compelling all butchers in London to be free of the Butchers' Company was legal, and that the end of that byelaw was to restore the original constitution of the Corporation; that it was right and reasonable, and must have been the meaning of the custom, that each Company should have the inspection of their own trade. (See the observations of Lord Mansfield and the other judges in the above case, 3 Burr. 1328.) See similar words in return of Mayor, aldermen, &c., of London in 1829, *Clark* v. *Le Cren*, 9 B. & C. 52, where the above decision was held good. The decision in this case has never been questioned, and the fact that during recent years the control by the City has in some respects fallen into desuetude, is in my opinion utterly immaterial inasmuch as the customs of the City of London are declared never to become obsolete by misuse or disuse ("*usi vel abusi*" as the charter 7 Ric. II. has it): they are, moreover, expressly confirmed by Act of Parliament and can only be repealed by equal authority (*Pulling*, p. 3).

With respect to the statement that the control by the Corporation is not enforced, this appears to be admitted, and probably the fact that nearly every member of the Corporation is also a member of a guild, would not be denied. The Companies to which the members belong are set out in the City's Pocket Book, see also Comm. 1854, Q., 667.

The Goldsmiths' Company have themselves petitioned the Lord Mayor and aldermen against interference with their trade; see case quoted in *Remembrancia*, 219. See also reference from the Lords of the Council to Lord Mayor and aldermen on the complaint of the Goldsmiths as to fraudulent working. The carrying out of trade regulations by the guild was also to be with the assistance of the mayor and sheriffs; see charter of Goldsmiths, 1 Edw. III. Some of the charters of the Companies specifically place the Companies under the control of the Corporation, and it was with this view and object that their charters were enrolled in the City Chamber. An illustration of this may be taken from the Needlemakers' charter, where after drawing attention to the fact that the members of the Company were under the government of the City of London, the King goes on to say, "We hereby declare our will and pleasure to be " that the Lord Mayor and Aldermen of the City of London for the time being do " cause and allow these our letters patent to be enrolled within the Council Chamber " of the said city, amongst the records thereof to the intent that those that are and " shall be freemen of London and members of the said society of Needlemakers' may " be subject to the government of the city, and may enjoy the benefit thereof." Similar provisions are contained in contemporaneous charters to other Companies.

This control of the Corporation is also conclusively shown by the Report of this Commission.

Proposition 8.

The Companies are subject to the control of the Crown.

The Goldsmiths' Company say "This is not true; the Companies are not subject to " the control of the Crown." With respect to this it is to be noted that the powers of holding land and the various privileges of the Company were granted by the Crown, and at the commencement of each important reign the charters were confirmed, and in many instances, without any alteration. The necessity for such confirmation is not clear unless the control of the Crown existed; still less does it appear that the payment of money for a simple confirmation would be required. After the governing and incorporating charters of Edward III. and Ric. II., we find such charters granted in 3 Henry IV., 5 Henry V., 1 Henry VI., 2 Edward IV., 20 Henry VII., 1 Henry VIII., 1 Edward VI., 1 William and Mary, 3 Elizabeth, 2 James 1.

The Company have obeyed ordinances and precepts from the Crown for various purposes (Herbert II., 136, 139, &c.) They have offered to surrender their incorporation into the hands of the Crown and they have admitted and paid assayers appointed by the Crown.

This matter has already been sufficiently conceded in the Report, and practically forms part of the basis on which such Report proceeds. The whole history of the Companies show that they themselves fully admitted it up to a recent period. (See as to Grocers', Question 2420 to 2445).

The rules and byelaws of the Companies generally received the consent of the Crown through its high judicial officers, and this would appear to be always necessary under 19 Henry VII. c. 7. In some cases, as for example, in the Charter of the Bakers' Company, there is a power in the Crown to amove the master, wardens, assistants, or clerk of the Company. The Crown has exercised the right of inquiry under penalty of forfeiture, as by 12 Richard II., and in 1684 the Companies, without any pressure whatever being brought to bear upon them, surrendered their Charters to the King and asked him in his "princely wisdom" to regulate their government. The new Charters which were granted after this surrender and which were accepted by the Companies, contained provisions for the removal of the officers of the Companies at the discretion of the Crown, and for placing the whole body of the Companies under the direct control of the Lord Mayor and Aldermen. On the accession of William III., the old Charters were re-established.

Proposition 9.

The continuance of a large amount of land in the heart of the City and in the north of Ireland in the hands of corporate and unproductive bodies is a hindrance to commerce and a loss to the public revenue.

The loss to the public revenue, alluded to in this proposition, arises from the fact that whereas in the hands of private owners succession duty is paid upon land once every

20 or 30 years, it is never paid by lands held in mortmain. Such lands are not sold, and there is no exchange or distribution of ownership, so that at the present moment in this great commercial capital the land upon which the City stands is the least commercial part of it. The disadvantages of this are self-evident.

The attacks of the Companies against myself have been mainly directed to the nine propositions enumerated above. Most of these propositions find the amplest justification in the admirable Report which has been signed by the majority of the Commission, but in order that no point of the charge should remain unanswered, I have appended these memoranda.

There are in the statements of some of the Companies other allegations of less importance with which it is unnecessary to deal, inasmuch as their refutation may be found either in the Report itself or in other available sources of information. I will give two illustrations of these allegations in order to indicate my meaning. They are taken from the additional statement supplied by Sir Frederick Bramwell and Mr. Prideaux on behalf of the Goldsmiths' Company.

The Goldsmiths' Company contest the truth of a statement in "Municipal London" to the effect that it is a considerable pecuniary advantage to be a member of the Court of Assistants of a City Company, and say that this is not the case in the Goldsmiths' Company.

On reference to the Goldsmiths' Return to our inquiries, it will be seen that 1,576*l.* was paid to those who attended courts and committees in 1881. But the proportion which the payment to members bears to income is in some Companies very large, as may be seen from the Returns. The largest absolute payment to a Court of Assistants is in the Mercers' Company, and from their Return it appears that there was paid in 1880:—

Payments ordered to members attending—

	£	*s.*	*d.*
General Courts - - - - -	2,188	4	0
Courts of Assistants - - - -	5,292	4	0
Committees - - - - - -	1,285	4	0
Total payment - - - - -	£8,765	12	0

The Returns abundantly prove the truth of my statement.

The other illustration is also from the Goldsmiths' Company's statement, where they contest an incidental observation in "Municipal London" to the effect that "in " addition to their salaries they sometimes find a bank note delicately secreted under " their plates." They say, " So far as regards the Goldsmiths' Company this is untrue, " and we do not believe there is any foundation whatever for it as regards any other " Company." The matter is of trivial importance, but as it is made matter of special attack, I may say that the existence of such a custom in some of the Companies is well known, and, so far as I know, has never been previously denied until denied in the Goldsmiths' statement, and also by Sir Frederick Bramwell in his evidence before the Commission. In addition, however, to its truth being a matter of general knowledge, it is also a matter of record. An illustration of this may be found in the evidence given by Mr. Hickson, a responsible witness before the last Commission on the Corporation of London, a Commission with which Lord Coleridge was connected. Questioned as to the propriety of placing the property of the Livery Companies in public trust, this witness detailed some of their methods of expenditure, and amongst other things said, " The rich Companies get rid of some of their wealth by giving the " most expensive dinners, *and it is still customary to place a five or ten pound note under* " *the plate of a liveryman invited, if a member of the Court of Assistants.* Two guineas is " a common fee for attendance at a dinner, even in some of the poorer Companies" (Q. 2970). It is to be observed that wherever possible, the evidence given to the Commission which affected the City was afterwards explained or answered by City witnesses subsequently called, but so far as I know this evidence as to the practice of the Companies was never impeached or contradicted. In matters of this kind, it appears to be supposed that evidence cannot be procured from living members of the Court of Assistants, because, however anxious they may be for reform, they are expected to hesitate, as they do hesitate, to face the ostracism and obloquy of giving evidence against their fellows.

This matter is intrinsically one of small importance. When the livery Companies claim, as the Goldsmiths' Company claims, the right to divide their property amongst themselves, it would seem that the method of division is comparatively unimportant. But it has been made of importance by being taken as a test case whereon to rest allegations that a book which I wrote in 1875 is unreliable in its character. It is, therefore, necessary to answer it, and perhaps the Companies may now be convinced that so unusual a course of procedure has proved to be as unsuccessful as it was unwise.

JOSEPH F. B. FIRTH.

OBSERVATIONS BY MR. FIRTH.

I have signed the preceding report subject to the following observations:—

With the main scope and proposals of the Report I entirely agree, but I think one or two of the recommendations of the Commission fall somewhat short of the necessities and justice of the case. I agree with the propriety of State intervention and the grounds on which such intervention is justified, as set out on page 42. I agree that the funds of these Companies are rightly available for public purposes. It is admitted that any satisfactory scheme of Municipal Reform must abolish the Municipal franchise of liverymen, and the report recommends the removal of the parliamentary franchise of liverymen. Further, the report conclusively shows that with a very few exceptions the Companies discharge no useful functions in connexion with trade.

I therefore fail to see what useful purpose can be served by the continued preservation of such Companies as are disassociated from trade, and I think that the best course to pursue will be to dissolve them and to vest their property in an Official Trustee unless or until a Representative Municipal Authority be established in London. Until the establishment of such an Authority the property might be managed by a Special Commission, but after the establishment of such Authority it would be transferred to such a body representing all the people of London, and subject always to such uses as Parliament might prescribe.

I think that the Municipality of London is a much more desirable body to settle the re-appropriation of these funds than a Special Commission, which must of necessity have a more restricted knowledge of the requirements and the wishes of the London people. I think that the suggestion as to schemes being framed by the Companies is not a desirable one, inasmuch as there would be no guarantee for the equitable appropriation amongst the "objects of acknowledged public utility" set out in recommendation 5. The funds being admittedly available for all or any of these objects, it seems to me most desirable that they should be appropriated amongst them in such manner as is most satisfactory to the people of London for whom they exist.

Even if the Companies were not formally dissolved, it would be needful to devise some new method of admission. Patrimony and colourable servitude are already condemned, and as for admission by redemption (or purchase) it is, as shown in the accompanying Memorandum, the least defensible of all. There would remain admission by *bonâ fide* apprenticeship, but this only exists to an extremely limited extent. Moreover, as the new members would be merely Trustees of public funds the pecuniary advantages which now exist in connexion with membership could scarcely be continued. On the whole, therefore, I think that the most logical and practical course is to dissolve such Companies as are disassociated from trade.

In case of such dissolution it would be necessary to deal with the question of Compensation to persons injuriously affected. In this category would be:—

(*a.*) *Paid Officers.*—Where such office is a freehold and is abolished, and where no analogous duties in connexion with the property of the Companies is found, they would probably be compensated on the actuarial value of the lives of the holders. Where not a freehold but an annual office, say five years' payment in gross.

(*b.*) *Members of Courts of Assistants.*—If the Companies were abolished these would have no compensation if the precedent of the suggestion of the Parochial Charities Commission as to City Parish Trustees were followed. They would then cease to manage the property, and fees given on the basis of such management for attendance at Court, &c., could scarcely form a proper basis of compensation. As to compensation for loss of dinners, if this were entertained as an equitable right, then the present value per head might be calculated and paid to them yearly during life or the actuarial value paid in gross. A tontine system would be indefensible.

(*c.*) *Liverymen.*—The only compensation payable to Liverymen would be in respect of Livery dinners. These could be compensated in the same way if this were considered a proper subject for compensation.

(*d.*) *Freemen and Pensioners, &c.*—Pensions now paid to these might continue during life, or be compounded for on fair terms.

As to the Irish Estates.—I think some recommendation should be made as to these. The costs of management of these estates is extravagantly high. They were bought with money levied by the Lord Mayor on the Companies of London, in reality a municipal tax. I think that they should be disposed of upon equitable terms, and to the tenants, if possible, and the money made available for the new Municipality of London, subject to any equitable claims on the part of the districts.

JOSEPH F. B. FIRTH.

MEMORANDUM BY MR. BURT.

I agree with Mr. Firth in so far as relates to the Irish estates of the Companies of London.

THOS. BURT.

ORAL INQUIRY.—(Session 1882.)

MINUTES OF EVIDENCE

TAKEN BEFORE

THE ROYAL COMMISSION

APPOINTED TO INQUIRE INTO

THE CITY OF LONDON LIVERY COMPANIES,

AT

No. 2, Victoria Street, Westminster.

FIRST DAY.

Wednesday, 1st March 1882.

PRESENT:

The Right Honourable the EARL OF DERBY, Chairman.

His Grace the Duke of Bedford, K.G.
The Right Hon. Viscount Sherbrooke.
The Right Hon. Lord Coleridge.
Sir Richard Assheton Cross, G.C.B., M.P.
Sir Nathaniel M. De Rothschild, Bart., M.P.
Sir Sydney H. Waterlow, Bart., M.P.
Mr. Alderman Cotton, M.P.
Mr. Walter H. James, M.P.
Mr. Joseph Firth, M.P.
Mr. Thomas Burt, M.P.

Mr. H. D. Warr, *Secretary.*

Mr. Thomas Hare examined.

Mr. T. Hare.

1 March 1882

1. (*The Chairman.*) I think you are the Senior Inspector of Charities under the Charity Commission, and I need not ask you whether you have taken considerable interest in and paid much attention to questions of municipal government and of charity administration?—I have.

2. You have been occupied, as I understand, with the charities administered by the city companies at various times?—At various times, many years ago. I have not done much in that way since 1865.

3. Between 1860 and 1865 I think you were employed in that way?—I was.

4. Will you kindly explain to the Commission what are the functions of the Charity Commission; under what Act of Parliament it obtains its powers, and what is its position as regards the City Livery Companies. Probably you would prefer to give your explanation in your own way?—I suppose that the Commission knows that the Charitable Trusts Act was passed in the year 1853. It was the first jurisdiction then established applicable to charities exclusively, and it was intended to prevent the vast waste of money which was constantly incurred in charities, by the institution of suits by relators whenever they thought they had an opportunity of having them inquired into in the Court of Chancery. The powers, which were general, are set forth at considerable length in the Act of 1853; it gave power of inquiry; it gave power of authorizing leases and for the alienation of estates; it gave also for the first time, an officer who should be the conduit pipe of the real estate, so that the real estate should be vested in one person continually, while the trustees should have the management as before for the purpose of administration. It gave also the power of taking proceedings for setting new schemes where the charities were under 30*l.* a year, the amount was afterwards increased to 50*l.* upon the application of one or more inhabitants or persons interested, but no power beyond an income of 50*l.* a year, except upon the application of the trustees or the persons administering. That is the present restriction. It gave full power of inquiry into all charities, and it also gave the power which was exercised for a few years, of laying before Parliament at the commencement of the session, what Bills they proposed to pass for such amendment of charities as the Courts of Law were not competent to make, and then that being laid before Parliament, at a certain time after its meeting, a Bill was to be brought before the House for effecting the alteration. That went on for some years, but as in many cases the alteration would affect very much the condition of populous towns and boroughs, the Government was sometimes unwilling to take it up, and it was met with frequent opposition. In some cases the Bills were thrown out, and the Commissioners instead of laying those Bills before Parliament thought their function was rather uselessly exercised unless the Bills could be passed, and they abandoned that course of proceeding. I do not know whether there is any other matter connected with the jurisdiction and power of the Commissioners which I have omitted, or which the Commissioners would like to be informed upon; if so I shall be glad to answer any further question. It is a Commission to

Mr. T. Hare.

1 March 1882.

inquire with very imperfect jurisdiction to amend; the utmost they can do in the most important cases being to send it to a court of law for amendment.

5. You have been brought, as inspector, into contact with the courts of the various companies, I suppose?—No, not with the courts; very rarely were they attended by anybody but their clerks or one or two persons who produced the documents and gave me the papers I asked for; but very rarely by any of the members of the courts.

6. There are in existence, as we understand, reports dealing with all the charities of the city companies?—The Charity Commission which commenced about 1818 by Lord Brougham's instigation, went on under several separate Acts of Parliament and finished its work about 1840 or somewhat later. All their reports are printed, and they occupy about 40 or 50 folio volumes.

7. Have you had to examine those reports, and as a matter of fact, have you done so?—In all cases when I went to the city companies, I took the printed report of the former Commission, and began by inquiring whether that was accurate, and whether there was any addition or amendment to be made to it. I adopted that as the basis of my inquiry, taking up, of course, the subject of any variations in the property, and subsequent gifts, if any.

8. Had the framers of those earlier reports which you consulted, full access to the documents of the companies?—The power given by the Act of Parliament enabled them to inquire into trusts only, and, therefore, if an independent title was asserted they would have had no power to go beyond the trust.

9. The Commissoners had power to call for any documents relating to the charities of the Companies, had they not?—Yes, they had.

10. But I presume in a doubtful case the Company itself would be the judge whether the property was held in trust or otherwise?—They must necessarily be the judge.

11. You have drawn up reports of your own between the dates you mention, 1860 and 1865?—Yes, for a great number of companies—all that appeared by the former reports to have had charities.

12. Did you base your reports upon those of the earlier Commissioners?—I began with those in my inquiry; I took them as the basis of my inquiry, and then I referred, where the documents were the same, to the former report.

13. Are you aware of any cases in which informations have been filed by the Attorney-General against the Companies for breaches of trust?—I am not aware of many cases of that kind. I might accidentally have heard of them, but I never had an official knowledge of the cases. I may mention one case, by the way, of which I was cognizant, that of the Wax Chandlers' Company, in which I found that there were some houses in the Old Change charged with the payment of about 8*l*. a year to poor persons with the direction that the remainder of the rent of the houses was to be carried to the chest of the Company and applied to the repair of the houses. I told the Company that it appeared to me that that was not a gift to them, but still continued to be a charity. They applied all the surplus over 8*l*. a year to their own funds. I found the same to be the case in the Merchant Taylors; they had a very large charity, about 2,000*l*. a year, and they had taken the opinion of their counsel, the present Vice-Chancellor Hall, and Lord Selborne, who advised them that the surplus was devoted charity. They accordingly founded with it the Convalescent Hospital at Bognor, instead of applying it to their own funds; and I recommended the Wax Chandlers Company to do the same, but they thought it would take away so large a portion of their funds that they declined to do it. An information was filed. It was heard first before Lord Romilly and then before Lord Hatherley, who decided in favour of the Company. It then went before the House of Lords, who decided that I had been right in holding it to be a charity, and the whole surplus was then handed over as a charitable trust. I do not remember at this moment any other case.

14. (*Mr. Firth.*) The case which related to the hospital at Bognor was that of the Attorney-General *v.* Donkin, was it not?—That was first established under the voluntary act of the Merchant Taylors' Company after my suggestion, but when the Wax Chandlers' Company had been proceeded against and had succeeded in obtaining judgment in their favour from Lord Romilly, and a second judgment in their favour from Lord Hatherley, the Merchant Taylors' Company thought they had made a mistake, and filed an information for the purpose of getting a more satisfactory construction in their interest; but when the House of Lords decided the other way they dropped their proceedings.

15. The payments were different, were they not?—One was, I think, to be applied to the repair of the houses and the other was to go into the chest of the Company. They were substantially the same.

16. But that difference made the difference in the decisions, did it not?—The first decision was that of Lord Romilly; he thought it was not a charity, and Lord Hatherley was not satisfied about it sufficiently, he said, to overrule Lord Romilly. Then the matter went before the House of Lords, and they determined that it was a charity.

17. (*The Chairman.*) Has there been any inquiry into the charities of the Companies since 1865?—I think there has upon a few occasions where some questions have arisen. I do not think I have had any myself. There has been no inquiry of any considerable importance, I believe.

18. I do not know whether I am right in assuming that your reports are unpublished and have not been printed?—They have not been printed; the reports of the City Parochial Charities have all been printed, but not of the Companies.

19. Was that done by the Parochial Charities Commission?—Yes.

20. Have you any idea what would be the bulk of your reports if it were found desirable to publish them?—I fear that it would be found to be a very voluminous document of a great many hundred folio pages.

21. Now with regard to these charities, there are a considerable number of almshouses, are there not, belonging to the companies?—A great many, I believe, as far as I remember.

22. There are also, I believe, doles to poor freemen?—There are a great many pensions and things of that kind which are given to them.

23. Are there also payments for the benefit of the poor?—There are many.

24. I should like to put it to you generally whether in regard of the administration of those charities you have any general idea of such reform as might be proper to be adopted, whether you have formed in your own mind any general plan of dealing with them?—About three or four years ago there was a poor law conference, at which Lord Hampton was in the chair, which requested me to give my views as to the administration of endowments. I am looking at the printed copy of what I then said, and I find that the best answer to your question which I might give you now is set forth in this printed paper (*handing in the same*). I recommended that the employment of endowments should be of an elevating tendency. One passage I will read,—"Twenty years ago, or more, when a new scheme "was first about to be devised for the college of Dulwich, I thought that, with regard to its eleemosynary "branch, an experiment might deserve to be tried for "encouraging and promoting a systematic habit of "providence and foresight among the poorer inhabitants of the populous districts interested in that great "endowment. As one mode of doing this I suggested "the appropriation of some sites on the vast Dulwich

“ estate, lying between Denmark Hill and the Crystal “ Palace, for the erection, by the Charity funds, of “ some cottages, models of convenience and beauty, “ which might be occupied freely or on especially “ favourable terms by labourers of the parishes of St. “ Luke’s, St. Botolph’s, St. Saviour’s, or Camberwell, “ who having been in the ordinary condition of their “ class, should prove themselves to have spent the best “ years of their lives industriously and providently, “ and to have brought up their children well. Such “ cottages, named, say, the ‘Reward of Abstinence,’ “ would be standing monitors of the value of self- “ denial, temperance, economy, and foresight.”

25. May I ask whether you have studied the constitution of the companies generally?—Very much in relation to other corporate bodies and other public endowments.

26. Have you gone at all into the question of how far those companies have been really connected in former times with the trades whose names they bear?—It seems to me that that question is most perfectly answered in the short summary given by Sir Francis Palgrave, in his report to this Commission, which is contained in this printed paper which I have before me. He says, “Considered as distinct or special com- “ munities, the companies were probably in their “ original conformation, not so much trading societies “ as trade societies instituted for the purpose of pro- “ tecting the consumer or the employer against the “ incompetency or fraud of the dealer or the artizan, “ and equally with the intent of securing a maintenance “ to workmen trained to the art according to the “ notions of early times, by preventing his being “ undersold in the labour market by an unlimited “ number of competitors. Furthermore the companies “ acted as domestic tribunals, adjudicating or rather “ arbitrating between man and man, and settling dis- “ putes, thus diminishing hostile litigation and pro- “ moting amity and goodwill. They were also in the “ nature of benefit societies, from which the workman, “ in return for the contributions he had made when in “ health and vigour, to the common stock of the guild, “ might be relieved in sickness or when disabled by “ infirmities or age. This character speedily attracted “ donations for other charitable purposes from benevo- “ lent persons who could not find any better trustees “ than the ruling members of these communities, and “ hence arose the numerous charitable gifts and “ foundations now entrusted to their care.” It could not I think have been better described.

27. But as we understand it from the earliest times, or at any rate for the last two centuries or more, the right of membership in a company has been hereditary?—Mostly so; the separation from the trade mainly resulted from their constitution, the succession was to be kept up by the children of the traders and their apprentices; but naturally in a few years afterwards they frequently ceased to be of the same trade. In the reign of Queen Elizabeth the Queen sent to the Mercers’ Company to know why silks were so dear, and the Queen, it is said, marvelled much to learn that only one or two of the Company knew anything about silks at all.

28. (*Mr. Walter James.*) Do you consider that those companies form part of the municipal corporation of the city of London?(1)—Undoubtedly at present they form a part of it.

29. Do you mind stating to the Commission your grounds for that statement?—In the first place they form what is called the Commonalty, the Common Hall.

30. Do you think you may say that the Companies are public bodies in the sense that you might speak of them as municipal bodies?—I think they are very much in the nature of municipal bodies, having a partially municipal character, but being also beyond a municipal body,—having another function, and a main function greater than their municipal function.

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31. But supposing that in any legislation which might be projected in the course of the next few years the Common Hall were abolished and the connexion between the Corporation and those Companies were severed, the Companies would be then essentially private bodies, would they not?—Not private bodies; the Companies would then be essentially bodies constituted with a public object, and having that public object in view, of which we have a summary from Sir Francis Palgrave’s report.

32. They would no longer have municipal duties?—That portion of the duty would be taken from them.

33. So that they would be much more private bodies than they are at the present time?—I cannot say that they would be more private; I do not think they would be in any respect private bodies.

34. Do you think there is anything at the present moment preventing the Companies going into liquidation, winding up their affairs, and dividing their property amongst the existing members of the courts?—I do not think there is anything, unless some authoritative action of the State intervened. We know lately that a body like Serjeant’s Inn, having a constitution not framed for the exclusive benefit of any individuals, but framed to have a special object, thought proper to dissolve. There was nothing to stand in the way, there was no individual interest to stand in the way, and no public interest of sufficient importance in the eyes of the State to induce it to interpose, so they were enabled to sell their property and to divide it amongst themselves. The doctors of Doctors Commons did the same, and I do not think it impossible, unless the magnitude and publicity of these Companies should stand in the way, that they might do the same.

35. Do you think this is a matter of such importance that the Legislature should take steps to prevent such a contingency and such a possibility?—I think so, certainly. We know that before the reform of Municipal Corporations took place, Corporations could have alienated their property, or might have applied the entire corpus of it to any purposes which could be held to be corporate purposes. They had full power over it; but under that Act they are prevented, without the consent of the Treasury, from alienating or leasing for more than 31 years any part of the corporate property. There is a clause in the Act of 1835 which interposes the authority of the Treasury to prevent such alienation; and if such a provision was necessary for the Municipal Corporations of the Kingdom I think it is necessary with regard to these Companies.

36. I believe that at the time of the passing of the Act of 1835 there were two classes of property with which that Act dealt; there was the trust property and there was the corporate property?—You remember the history of the Act. It went up from the House of Commons to the House of Lords, enabling the new corporations to have all the powers of the old over both properties, but in the House of Lords, it was suggested that as many of the new corporations would no longer be confined to members of the church of England, and as so many of the charities were founded by Church of England people for church purposes, it was undesirable that they should have the control of those charities; so they introduced the 71st Clause, providing that unless the new body for the management of those charities should be appointed by Parliament before the 1st of August 1836, a measure which I believe Lord Brougham had contemplated, the Court of Chancery should appoint new trustees for the charities.

37. What was done with the corporate property?—The corporate property was transferred by the Act of Parliament to the new corporations, but guarded with the stipulation that it should not be alienated without the consent of the Treasury.

38. Do you think that it would be a great act of violence, assuming that the Legislature thought proper at some future time that the corporate funds of those Companies, which you allege to be part of the Corporation of London, should be given to some general pur-

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(1) *See* Grocers’ Statement, p. .

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poses for the benefit of the whole metropolis, as was done in the year 1835 when the corporate property which was in the hands of the old corporations was diffused, or the control over it was given to the whole body of the electors?—But the destination of that property was not altered. The new corporations were made generally elective, but the corporate property was employed, as it had been heretofore, for the benefit of the borough to which it belonged.

39. Do you think it would be any alteration of the destination of the corporate property of the Companies, if it were given more largely for purposes analogous to the trades indicated than it is at present?—With regard to the last question, I have ventured to put on paper the suggestion I would make, and it is this: that the connexion of the Companies with the arts, crafts and trades which according to the terms of their constitution they are designed to comprehend, should be restored, including within the latter all the analogous trades and industries which have grown out of, or been developed from, or into which the arts and crafts originally named have since expanded. The avocations included in the business of mercers, drapers, and haberdashers, and clothworkers, would embrace vast numbers of the working classes to whom an intimate association with bodies of the wealth and importance which these guilds have attained, may be made a source of great advantage. The members to be admitted may be of two main classes; those employed in the manufacture and those in the distribution of the several productions. The factories for production are now widely spread throughout the kingdom, and no persons engaged in them wherever situated, should be excluded. The distributive workers, as keepers of shops and those employed therein, might be confined, as the Companies now generally are, to London and the suburbs.(1)

40. You have had, I know, very great experience in the administration of these charities; do you think that the effect of these charities (I am speaking in a general sense) is mischievous, or do you think they are for the public good?—I think that all doles, and things of that kind, which are distributed as mere matters of favour and without any very rigid inquiry into the worth of the individuals, are generally mischievous, and are more likely to be causes of mischief than otherwise; almshouses, probably, less so than pensions. We find in the Charity Commission that a frequent object with regard to almshouses on the part of those bodies which possess them is to convert them into pensions, because the almshouse is a more severe test of want than a pension would be. I prefer, therefore, in those cases to preserve the test of the almshouse, rather than convert it into a pension, which is much more likely to be abused.

41. Then you think that your own experience, as well as public opinion generally, condemns the system of doles?—Undoubtedly.

42. Do you think that the system is condemned generally by those in whose hands the giving of doles remains?—So far from objecting to it, they generally prefer to retain such gifts. One of the earliest cases, if I remember rightly, which attracted attention when the Charity Commission was formed, was the immense number of charities in the city of Coventry; numbers of people complained that the whole town of Coventry was demoralized by them, and the Commissioners endeavoured to bring in a scheme to diminish those doles. I think a former member for Coventry, who was consulted, said that any Bill of that kind it would be impossible for him to support; if he did it would be no use for him to go to Coventry any more.

43. Have you found amongst those who administered the charities of the city, and amongst those who felt them to be mischievous, that they have been desirous to come to you for fresh schemes?—I find generally a struggle against improved schemes; of course there are a number of public-spirited people who are anxious to introduce them, but I am afraid they form the minority.

44. Do you find that the city Companies come under that rule?(2)—They are not likely to come for any scheme: they consider themselves to be the best managers of their own funds.

45. There is a very large charity which, I think, belongs to the Ironmongers' Company, Betton's Charity, that was a charity for the release of captives in Barbary, I think?—That charity was divided into four portions; one-fourth was for schools in London, one-fourth for the members of the Ironmongers' Company, and two-fourths for the release of captives in Barbary. It was created at the beginning of last century. As time went on they found no captives in Barbary, and a large sum had accumulated, and an information was filed after the report of Lord Brougham's Commission for a new scheme. The Ironmongers said there were two purposes, schools and Ironmongers; divide the whole into two, and give the schools one half and the Ironmongers the other half; but the Court of Chancery thought that the Ironmongers' Company did not stand in need of this charity, therefore they gave the whole to the schools. The matter went on ultimately to the House of Lords. I remember seeing a shorthand note of what took place. Lord Campbell was the Lord Chancellor. He inquired what was meant by a ci-près application, and being told it meant the nearest to what the founder intended, he said, "if the schools "of London are the nearest to the captives in Barbary "they are a good way off." They determined then to give it to the Church schools throughout England to be distributed by the clergy; and it is the case now, that it goes to such. It was asked why give it to the Church of England schools, the captives in Barbary were not necessarily Church of England captives?

46. If there had been more public spirit upon the part of the Ironmongers' Company, do not you think that that large fund might have been given to some more worthy object?—There could be no more worthy object than education, I suppose.

47. But as regards the manner of distribution, do you not suppose that that had the effect of frittering away and wasting the fund?—At the time this took place, there were none but voluntary schools for national education in the kingdom, but now as education is compulsory it is a different matter. It should be employed as prizes and rewards for the children of the poor in the public elementary schools.

48. (*Mr. Alderman Cotton.*) With regard to the question of doles and pensions, I would ask what you consider to be a dole?—A dole would be a sum of money distributed, say, on Ash Wednesday, or Christmas Day, say half-a-crown to all poor people in the parish, or perhaps for bread to be given away at the church door, as is the case in many of the city parishes.

49. But your explanation does not apply to the City Companies. I wish to know in what way you would apply the word "dole" to the City Guilds, because as far as my knowledge of them goes there is scarcely a dole in existence; there are pensions?—I cannot at this moment tell what doles there are given by the Companies.

50. Perhaps you are aware that the doles of the city parishes have now been examined into by the Charity Commissioners, and that they form a large sum in the aggregate, and that some Bills are now in Parliament for the appropriation of those doles?—I am aware of that.

51. Are you aware that the Charity Commissioners speak very highly indeed of the liberality of the Companies in respect of the charities administered by them?—I believe so.

52. They find no fault as to that?—I believe not.

53. When the Charity Commission looked into the trusts of the various guilds they were found, considering the long time they ran back to, to have been most honestly, straightforwardly, and well administered, was not that so?—I do not know that any verdict of that kind was found one way or another; but I do

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(1) *See* Ironmongers' Statement, p. .

(2) *See* Grocers' Statement, post p. .

not know on the other hand that any fault was found with them.

54. Now all the charitable funds of the city are in the hands of the Commission, are they not?—I do not know what that means.

55. Under their control; that we cannot move without their sanction?—I am not aware that they have any control over the charities of the guilds.

56. Yes, all the charities of the guilds are under the control of the Charity Commissioners?—I did not know that they had the smallest control over them. They have an account of them sent to them, but I do not think they can say, Yes or No to any proposed gift.

57. They propound the scheme?—I am not aware that any scheme has been formed for the guilds generally.

58. Not for the guilds generally but for each guild?—But even if the scheme has been settled, it ceases to be under the control of the Charity Commissioners; a scheme is only another way of disposing of the fund. When a fund is given away, say to schools, the Charity Commissioners have no control over it any more than the executive government have.

59. They have the control of the examination of the accounts, and we cannot alter the scheme in any way whatever without their consent?—The scheme becomes a trust.

60. Then it comes to this: that the only funds left in the hands of a guild, if I am correct, are those which are their own property absolutely; that is to say, moneys accumulated from moneys paid by freemen and liverymen, and moneys which past testators who are dead and gone have left us entirely for the benefit of the Company, there is nothing else; is that your opinion?—In the first place I think there are very few cases in which Companies have applied for schemes or have had schemes, and what I say is that the Charity Commissioners have no power to impose a scheme unless the Companies apply for it. I do not know of any Company having applied for it, I will not say there are none, because the matter need not pass under my observation. As regards the last question, it is impossible to say that the only funds they administer are those that have been given to them absolutely, because as far as I know they administer now their own funds completely.

61. The funds they now administer are those which they believe to be their own moneys, and there is no trust in connexion with them in any way whatever; they are as much the property of the body as the property of any nobleman or gentleman in the kingdom is his?—That is a principle I cannot admit. I hold, not that they are given to them personally, but that they are given to them publicly for a purpose, which if it be not expressed, is an implied trust, and that it would be a dishonest thing if the Companies took that property and divided it amongst themselves; that it would be a breach of duty and a thing which would never be permitted, except, perhaps, in cases where the whole property was so small that the State would not interfere.

62. Do you recollect some evidence which you gave with regard to the Grocers' Company, in which you used these words: "There can be no doubt that in the "case of these ancient and liberal bodies the funds "are practically secure"?—I trust they are.

63. (*Mr. Firth.*) Do you recollect the particulars of the case you quoted to us, namely, Donkin's case?—I do not remember the exact words of the foundation.

64. Do you recollect reading a report of that case by Lord Brougham's Commission, to which you alluded?—Yes.

65. Do you remember that in 1570 a tailor left certain houses in Bishopgate, bringing in 22*l.* 10*s.* a year, to be laid out in clothing 12 poor men and 12 women?—Yes.

66. Do you recollect that before Lord Brougham's Commission the Merchant Taylors' Company said that they not merely carried that out, but that they expended 38*l.* in those purposes?—That I do not remember, but I have no doubt it was so.

67. That action resulted in the ci-près doctrine being applied to that case?—I do not think there was any suit, because, if I remember that case rightly, the Company without any suit at all took the advice of their own counsel and acted upon it. I think they took the advice of Lord Selborne and Sir Charles Hall.

68. But in the first instance there was a suit?—That I do not remember. I think not.

69. The only further question I wish to ask you upon this case is this: whether you can form any estimate from your knowledge of what the amount of property of the Companies is, in which that mode of procedure has been adopted, that is to say, in which a specific sum has been set apart for specific purposes, and the balance kept by the Companies for their own purposes?—It would require going through volumes of figures before I could answer that question. I think most of the Companies have property under those conditions. There are cases of the Grocers' and the Skinners' Companies. Property given to them 300 years ago to pay, say, 20*l.* a year for some charitable purpose, without more, the entire property beyond the 20*l.* goes to the Company. It has been held that when there is no express gift of the residue to the Company, but that all you can show is that the property then disposed of was worth so much as the amount given for the charity, the residue not being mentioned, the Company was bound only to pay the specific sum, and may carry the residue to their own funds.

70. Is not that the decision in the Wax Chandlers' case?—No. The cases which you refer to, in which the principle was settled, were the Attorney-General *v.* the Skinners' Company, and the Attorney-General *v.* the Grocers' Company, the latter being reported in the 6th Bevan, page 526. In those cases they were held only charged to pay the specific sums. In the case of the Mayor of Bristol, reported in the 2nd Jacob and Walker, page 294, the same principle was affirmed.

71. Are there, within your knowledge, cases where money has been left to the Companies to invest in land for charitable purposes, and where they have only returned an account of the income without returning an account of the investment?—There have been cases of this kind both with the Companies and with parishes in which sums of money have been given to them at certain times, and we find not only in London but in the case of the merchant venturers in Bristol and other places, that in a short time after receiving the gift they have bought lands with those moneys, which lands are perhaps now ten times their original value, but they do not say that they invest specifically that money in land; they invest their own money in land—they take this gift and place the proceeds in their own chest. The purchase has happened so soon after the bequest of the legacy or the gift, that it is impossible not to suspect that the money employed in the purchase of the land was the money left by the legacy.

72. But still you have no proof?—It is impossible. No evidence could be forthcoming. A legacy is given of 1,000*l.* in 1750, and in 1751 they buy a property of more or less value, but you cannot prove strictly that the one is bought with the other.

73. Can you say how much of the property of the Companies dates back to a period when they were really trade organizations?—I cannot really form any idea of that.

74. Are you aware that in many or nearly all the old charters the Companies were endowed with power to hold land contrary to the Statute of Mortmain for the benefit of the poor?—That is so.(1)

75. But you have no opinion as to what the proportion of such land is?—I can form no judgment of tha

76. Have you considered whether rights exist or not in London in tradesmen to be admitted members of those Companies?—I believe legal rights do not exist.

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(1) *See* Ironmongers' Statement, p. .

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I believe the law in such cases is powerless. You cannot get a specific trust enabling the courts of justice to deal with those things. It is only when the case is of great magnitude, like the Irish Church, that it is felt incumbent upon the State to deal with it, or where a powerful section of the people is interested, as in the case of Dissenters' chapels. Take the case of Lady Hewley's Charity; she left, about the beginning of the last century, an estate for the benefit of ministers of the gospel. About 1750, and up to about the end of that century, the whole of the trustees were Unitarians, and no persons were appointed but Unitarians. Then the suit of the Attorney-General *v.* Shore was filed. It was found that Lady Hewley's friends were all Trinitarians, and the court therefore came to the opinion that she did not intend the money for the teaching of Unitarian principles, and the Court of Chancery, after several suits, which the solicitors say cost 24,000*l.*, settled a new scheme, appointing Independents, Baptists, and Presbyterians as trustees. It was said that the effect of that would be to change the administration of numerous chapels all over the country that had been in the same condition, and to avert that change they were strong enough then to get an Act of Parliament to settle the question. The Dissenters Chapels Act (7 & 8 Vict. c. 45.) enacted: that where there was no deed of trust regulating the doctrines, opinion, or mode of worship, the usage of the last 25 years should be sufficient authority. It was said that this saved 500 chapels from being taken out of Unitarian hands. The courts of law would have been appealed to, and would have gone on dealing continually in the same way if there had not been a party strong enough to get an Act of Parliament for their protection; and so, no doubt, these Companies, unless there be a body strong enough to prevent it, can get rid of the property in any way they please.

77. Supposing there were a general desire on the part of the trades to get admission to the Companies, would you say that all the rights were now dormant as to public admission?—If any member of a trade applied to a solicitor and asked whether he should take proceedings to be admitted to a Company, I do not think he would be advised to do so.

78. I am asking it as a legal question, whether members of those trades have not a right to join in the benefits and advantages of a Company, whatever they may be, and become members of it?—I doubt it. Take, for instance, the Haberdashers' Company; shall we suppose a tradesman, say, Peter Robinson, applies to be admitted a Haberdasher, then what would be the course to be taken; must he take out a mandamus to compel them to admit him? If he did the Company would plead the custom of three or four centuries of not admitting people with no greater claim than those he could put forward.

79. I will put the case rather more clearly. I will give you the case of a poor tailor having the right of admission to the Merchant Taylors' Company, the Merchant Taylors' Company possessing funds for the benefit of poor tailors?—I do not know what his position would be, or whether a court of law would establish his right. I do not think I should advise him myself to take proceedings against the Merchant Taylors' Company to be admitted; nothing but an Act of Parliament could give him his proper place in the Company.

80. I wish to ask you a question about a clause of the Act of 1835, with reference to the property of corporations; are you aware that in the case of the Corporation of Leeds before the Act, the Corporation divided property amongst themselves which they were afterwards compelled to refund?—I never heard of that case, but I daresay it is very possible. I was lately looking at the case of Colchester, in which Lord Eldon said that he could not interfere in the matter, unless it appeared that the property had been applied to purposes certainly and distinctly not corporate, leaving this inference, that if it had been applied to purposes not corporate he would have interfered.

81. Are you aware that the Crown did exercise during several centuries a right of control over those Companies?—I am not aware of that.

82. Are you aware that the City exercised the right of control?—I never heard of such a right, and I do not know what their control would be.

83. Were not you aware, with respect to the control of the Crown, that the byelaws required the consent of the Crown, and that the rules of the Company received ordinarily the sanction of the Lord High Treasurer, and the Lord Chief Justice in the Common Pleas, down to within 150 years ago?—I was not aware of that.

84. Taking your general opinion of this property, do I understand that you regard the whole of the property of these Companies, having regard to their history, their character and existence, as public property?—As public property. In the year 1869, I wrote an article in the "Fortnightly Review," to show the distinction between private property and public property, showing that everything must either be public or private. I treated the matter with all the consideration I could then bring to bear upon it, and in case any reference should be made to it I have brought it here for the use of the Commission. (*Fortnightly Review, vol. II.*, p. 284.)

85. Have you, in your own judgment, matured any scheme or idea as to a proper appropriation of this property?—With regard to the last matter that is indicated in the printed note for their examination, I have ventured to put on paper what I should suggest, and with the permission of the Commission I would beg to read it. (*The witness read a paper commencing "My suggestion for the reform," for which see Appendix.*)

86. (*Mr. Firth.*) You spoke of some means of utilizing the Companies in connexion with the trades whose names they bear; now are you aware that there are a large number of Companies bearing the names of non-existent trades, and have you considered their case as well?—It seemed to me that in those cases the articles comprehended in the trades and arts which those Companies were designed originally to prosecute, had some connexion with something which is now done. I presume that the article is now made by some other body or some other person. If a thing has gone altogether into disuse, then I suppose that some other article is manufactured in lieu of it.

87. (*Sir Sydney Waterlow.*) From your answer to the Chairman's last question, and from the remarks you have just made, I gather that you were of opinion that the corporate property of the Livery Companies should be, in some way or other, appropriated for the benefit of the workmen and others connected with the trade?—That is so.

88. Then I would ask you whether you consider, as far as it goes, that the present effort of the Livery Companies, the Clothworkers and Drapers, for example, to teach the work-people the modes of cloth-making and dyeing, is a form of benefiting persons connected with the trade from the corporate funds of the Company?—I think they are endeavouring to carry that out as well as they can do in the technical colleges which they are establishing and supporting.

89. I wish to ask you, whether you think that their efforts in developing the knowledge of technical work are a benefit to persons connected with the trade?—Yes, that is the prominent feature in it.

90. I am speaking of the corporate property which must be, as you say, either public or private; but have you considered from any investigation of the terms and conditions under which the property was left to the Companies at different times, whether the property left since the trading Companies exercised any control over the trade has not more of a private character than the property which belonged to them at the time when they were essentially trading Companies?—I do not think it has anything more of a private character.

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91. In the year 1834 you are aware that a man named Thwaites, living close to the Clothworkers' Hall, left 20,000*l.* to the Company, with the distinct direction that they were "to make themselves comfortable;" do you think that a property left with such a distinct direction is not private property?—I would beg leave to answer that question by asking another, did that mean that the living persons should be made comfortable, or that they and their successors should be made comfortable?

92. I can only give the words. I do not venture to interpret them.—Then I think connecting the Company historically with the trade to which it belongs, that it meant "to make the traders comfortable."

93. Although it was left by a person who lived when the Company did not exercise any control over the trade and had no connexion with it?—But then they owed their existence and their continuance to the name which they bore; therefore I think they would act under false pretences if by and by they were to say, "We have nothing to do with this trade the "name of which we have adopted, and which we "have borne."

94. Should you consider that the appropriation of that money by the Company to a public dinner for themselves and their friends was an improper appropriation of the gift?—I think it is quite open to the interpretation that they were to make themselves comfortable in that way upon the funds of the trust. I do not find any moral fault and I do not find any legal fault with them, but I am now speaking of something higher. We are supposing that these institutions should be administered hereafter with a view to public utility, and with that view we are not to be governed by the particular tastes of those individuals, whether they wish to have an entertainment or not; but should consider the public interest as being of more importance than the special interest of those persons who have taken upon themselves this implied trust.

95. Do I understand you that the express directions of a testator who left money during the last half century ought to be varied by Parliament or by some other authority, because in the opinion of the public or the authority, whatever it may be, the bequest was not sufficiently useful?—I give the testator every credit for wishing to do his duty, and benefit those he left behind him.

96. Although the application of it might be at variance with the testator's will?—I do not think it could be at variance with a design to do good.

97. You think no distinction could be drawn between property left before and after connexion with the trade?—I think not.

98. Is it not a fact that within the last few years the Charity Commissioners themselves have so far sanctioned that principle that they have allowed the property to be relieved of a specific payment by the investment of sufficient money in Consols to produce the specific sum, and given the Company thereby a title to the property which would be a saleable title?—The courts of law have decided that if an estate be devised, and the devisee is directed to pay a certain sum of money to A. B., he may pay that sum of money and keep the estate; so the Companies have been allowed to invest the money in Consols to produce the specific sum required.

99. I presume we may take it that the Charity Commissioners have really no knowledge of the extent of the corporate property of the Companies?—None whatever.

100. And with regard to the charitable income, they have only a knowledge of that when the Companies have applied for new schemes?—Under the Charitable Trusts Act they are obliged to send out accounts annually.

101. But unless you challenge them, or have a new scheme, practically no inquiry is made into the trust property?—There is no jurisdiction beyond that, and if the Commissioners consider the administration to be improper, they certify that fact to the Attorney-General, and probably the Attorney-General would authorise proceedings if he thought it expedient.

102. With regard to the control of the corporation over the city Companies, you are aware that 200 years ago the corporation had such power, and did levy contributions from the city Companies?—There were many arbitrary acts committed then, and I suppose the investments in Ireland and elsewhere were made owing to some force not constitutional and legal, but by some force which acted upon the Companies; they were not obliged to do it by Act of Parliament.

103. It was done by municipal power?—A municipal power which, if it had been tried in courts of justice, would not have received the sanction of the law, or have been carried into effect by the authority of the State.

104. Was it not the fact that no person could be a member of the corporation who was not a member of one of the Livery Companies, and that, therefore, to some extent they were identified with one another?—No doubt.

105. Are you aware that of recent years the necessity of being connected with the Company was abolished, and that a man may be a member of the corporation though not a member of a Company?—That is so.

106. (*Mr. Alderman Cotton.*) Are you aware that within the last two years a sum of money has been left by will to the Ironmongers' Company to provide an annual dinner for ever for the members of the Company?—I am not aware of that.(1)

107. Is that a will that you would upset and think improper?—I am not speaking of upsetting any will.

108. I thought you stated to Sir Sydney Waterlow that you would not use the money for dining purposes though it was so left?—I say, preserving all those purposes, there are still funds enough left to the Companies to be of great public use.

109. You know that the City Guilds are most largely interested in educational questions; there are many exhibitions tenable at the Universities, and then there are classical schools and middle class schools; and that generally a very large amount of good is done in the matter of education by the City Guilds?—I hope to see their utility in that way very largely increased.

110. (*The Chairman.*) In reference to questions which have just been put to you as to the money given to a Company for the purpose of being spent in an annual dinner, do you think it right that money should be set aside in perpetuity for a purpose which is not one of public utility?—I do not think it is. I think it is lawful, but I think there may be many other lawful things, not desirable, and that that state of things should be put an end to.

111. You think that although lawful it would be inexpedient?—Precisely so.

112. And I presume you would think that supplying a dinner to persons who are perfectly able to pay for one, is not a purpose of public utility?—Certainly.

113. (*Mr. W. James.*) Have you found in connexion with the administration of the charities, that large sums of money are spent in connexion with the management of the charities?—I have generally found in most cases that there is a certain per-centage charged in that way. With regard to legal expenses there is a vast deal spent which might be avoided. In the case of Lady Hewley's Charities the costs as I have mentioned were 24,000*l.*

114. (*Sir S. Waterlow.*) That was not the case of a Livery Company; but is it not a fact that nearly all the 12 Livery Companies pay the cost of managing their trust property out of their corporate income?—I am not aware of that.

115. (*Lord Coleridge.*) You would hardly say, would you, that if this money left for dinners were

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(1) This is not so. *See* Ironmongers' Statement, p. .

appropriated to anything useful it would be a breach of trust?—Certainly not; I should call it a wiser use.

116. (*Lord Sherbrooke.*) I understand you that if any reform is needed, it must be sought for by Act of Parliament and not by legal proceedings at all?—I think that legal proceedings in the case of these Companies would be perfectly useless; that the courts could not take them up.

117. (*Lord Coleridge.*) It is obvious to lawyers, and I have no doubt you will agree with me, that those Companies could not hold a shilling of property without the artificial aid of the law?—Certainly not.

118. (*Mr. Firth.*) Have you formed a conclusive opinion as to bodies of this kind holding land in mortmain for public advantge?—That is a subject upon which I ventured some time ago to publish a pamphlet. It seems to me that the Mortmain Act under which estates cannot now be devised for charitable purposes, is one which has kept an enormous amount of benefit from the country. During the century and a half that the Act has existed there would have been an enormous amount of property dedicated to public uses, which the State might have taken up and dealt with in a profitable manner. The object of the Act as stated in the preamble was that the heirs to land should not be disinherited. A Bill was brought into the House of Commons a few years ago, by Sir Charles Dilke and Mr. Walter Morrison, to place estates in mortmain under State surveyors in districts; that they should have the letting and management of properties having regard to population, to drainage, and to making the most of it. Managed in this manner, we could not have too much property devoted to public uses; but the Mortmain Act has been a great disadvantage in preventing that which might have been done in the way of inducing the greater productiveness of the property, the greater benefit of all who labour upon it, and the interest of the public at arge.

119. (*The Chairman.*) Your theory is that the land is better managed by a public Company than by a private owner, is that so?—I do not go so far as that.

120. That it would be better managed when it is managed on behalf of the State, or some public Company?—That such a scheme as was contemplated by the proposed Bill would do much to lessen the inequalities of fortune,—that you might have all over the country small tenants, persons living in better dwellings, and generally more comfortably circumstanced. I may say, that I think the Mortmain Act has been unfortunate, not in the sense that the land has been saved from the dead hand. I want it rather to be in the live hand, managed as the Greenwich Hospital estates in the north were by their agent, John Grey.

121. I understand you to say that you consider it to be a matter of public advantage that land should continue to be held by corporations of this kind, and its commercial character taken completely away?—I would wish its commercial character to assume the form of tenancies which could be created for the occupiers, for terms of years of a sufficient duration to make them beneficial, so that as much as possible should be produced from it, and that the benefit of it should be diffused as widely as possible. Such leases for years would be more saleable than the fee simple.

122. Assuming the landed property to be managed according to those principles, do not you think that the net return from it would be less to the Company or to the State than if the money were put into the funds?—I cannot answer that question. A comparison of the relative profit from the two moneys would be purely speculative.

120. (*Sir Sydney Waterlow.*) Supposing the land held by the large hospitals of London had been dealt with as you propose, would they have had anything like the funds they have for hospital purposes?—I think they would probably have had more.

The witness withdrew.

Adjourned to Wednesday the 15th inst. at 4 o'clock.

SECOND DAY.

Wednesday, 15th March 1882.

PRESENT:

THE RIGHT HONOURABLE THE EARL OF DERBY, PRESIDENT.

HIS GRACE THE DUKE OF BEDFORD, K.G.
THE RIGHT HON. VISCOUNT SHERBROOKE.
THE RIGHT HON. LORD COLERIDGE.
THE RIGHT HON. SIR RICHARD ASSHETON CROSS, G.C.B., M.P.
SIR NATHANIEL M. DE ROTHSCHILD, BART., M.P.
SIR SYDNEY H. WATERLOW, BART., M.P.

MR. ALDERMAN COTTON, M.P.
MR. PELL, M.P.
MR. WALTER H. JAMES, M.P.
MR. JOSEPH FIRTH, M.P.
MR. THOMAS BURT, M.P.

MR. H. D. WARR, *Secretary*.

Mr. THOMAS HARE recalled and further examined.

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121. (*The President.*) In reference to an answer which you gave the other day to a question put by Lord Coleridge as to the tenure on which the City Companies hold their land, is it not the fact that they hold it on a different tenure from that of any other corporation?—I am not aware that the Companies generally do so; I believe they hold it as other Companies do.

122. I understand that you produce specimens of your reports, and also volumes containing the reports upon which your reports are based?—Yes, here are the reports which were made from all the Companies to the Charity Commissioners; they are furnished to this Commission by the Secretary of the Charity Commissioners. I identify them as my reports.

123. I have read the suggestion which you have made to us with regard to the proposed reform of the Companies. If I understand the principle of that suggestion it turns mainly on this: that the whole connexion of the Companies with the trades which they represent ought to be renewed and made effective?—Exactly.

124. Then I presume that, under those circumstances, the hereditary right to become a member of a Company must disappear?—No, by no means; the hereditary right would disappear only in those cases in which a member of the Company were not of the same trade or an analogous trade.

125. You would practically confine membership of Companies to working members and the trades which they represent?—The trades which they represent, and analogous trades which have grown out of them. It would involve a very liberal construction. In one newspaper, the "Daily Chronicle," there were advertisements the other day for persons who were members of certain trades, and there were 200 or 300 persons advertised for as of trades which would have come under one general description; therefore the number admitted under an arrangement of this kind would be vastly enlarged.

126. Do you consider that it would be in the power of Companies to re-organise and to spend their funds in a manner which would be beneficial to the trades in which they are concerned?—It would have to be an organisation suited to the present day, substituted for an organisation of centuries ago, which is unfitted for the present time.

127. Will you explain a little more in detail what kind of organisation you refer to, or what services the Companies could render to an organisation in connexion with the trades?—In the first place they would be members of the Company; they would then be able to obtain from the books of the Company, and from the clerks of the Company, information as to where this trade was being carried on and the situations where work might be best obtained; there would be something like the interchange of workmen which existed not very long ago in Germany, when it was almost the habit of every German workman to go from one town to another, and he was not considered fitted for his work until he had visited different places. We should have an organisation enabling workmen of every trade to know where their industry would be most profitably employed. Accounts could be kept of their children and families, and the schools to which the children could be most beneficially sent; and there would be an organisation by means of which a degree of information would be obtained which cannot be obtained by any single workman; and if he were connected in this way with all the persons who have the most perfect information of the condition of his trade, he would at all times be told where he could obtain work, and where his children could be instructed, and he could be assisted by the capital of the Company in obtaining in all the great centres of trade a residence and other things. I may show that this is not a mere speculative idea of a person who has given no attention to the matter. Sir Thomas Brassey, the honourable member for Hastings—and no man has had more experience of workmen, and knows more of the relations between them and their employers,—in an address which he delivered in Halifax in 1874, points out how this combination could be most beneficially organised, and the effect that it has had in some places where it has been adopted. He points out how great a boon was conferred upon a large number of workmen at the Carron works by the establishment there of a workmen's kitchen by Mr. Colman. He also pointed out what is done at Mulhausen by the Cité Ouvrière, and by M. Godin by the establishment of the "familistère," or general dwelling-house for his operatives and their families at Guise; and he points out these things as being modes by which capitalists and labourers can be brought together to assist each other, and by which the present estrangement and separation existing between workmen and employers may be arrested and put an end to.

128. I understand that you would wish the Companies to be centres of accurate and authentic information on trade subjects, which information might be obtained by any workmen who applied for it?—Certainly.

129. And you think that in our present industrial system there is room for a centre of that kind?—These Guilds, when they began, were the first method of co-operative organisation in trades, which they have ceased to be from a variety of circumstances that have happened during several centuries, and now we have an opportunity of bringing back again that real co-operation suited to the present day. I should specially call attention to Sir Thomas Brassey's work upon this subject.

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130. (*Mr. Pell.*) In manufacturing co-operation, or in distributing co-operation?—In manufacturing co-operation, not necessarily co-operation in production, but co-operation in the condition of the labourers, by which they can have an opportunity of culture in home life, and assistance in the instruction of their children, and advice connected with their occupations; it would be an organisation which would bring them into beneficial association with capital, and with the different institutions of the country.

131. (*The President.*) Do you also contemplate any educational work to be done by the Companies in connexion with their special trades?—Yes. I have now before me a pamphlet published by the Guilds, who have taken up, in a way the most creditable to themselves, and in the most noble manner, technical instruction, which cannot be too widely developed. They recognise their duty, and they have taken it up in a manner which I consider highly creditable.

132. (*Mr. Alderman Cotton.*) When you recommend that the craftsmen of the various trades ought to be members of the respective Guilds of the craft to which they belong, would you destroy the interest of the present members of the various Guilds, in order to put these men in their place?—By no means. I should consider that they had acquired, by the position in which they are placed, an interest in the Guild which cannot be destroyed.

133. You merely give it as a suggestion, that we might help the artisans of various trades?—Yes, and unite yourselves with them, with the real social trade organisation, but by no means destroying the present Guilds.

134. Are you aware that some of the Companies have done their best to promote technical education, and have offered prizes, without any reply to it at all?—That has been from the misfortune that there is no such thing as education of the kind in the country.

135. The Saddlers' Company, for three or four years, attempted it, and the Haberdashers' also attempted it, but they had no response. The Duke of Cambridge patronised the scheme of the Haberdashers' Company for two or three years, and they offered prizes and did their best to make the artisan come in and improve his work, and suddenly we had a letter from the duke to say that he thought we had gone as far as we could go, and the offered prizes were withdrawn, and it ended?—We are behind foreign countries in this. This book, which the Guilds have printed, gives an account of what is done at Chemnitz, in Saxony, which seems to be infinitely beyond anything attempted here; but our Companies are endeavouring now to follow that example by the great work which they have lately undertaken.

136. (*The President.*) You have said that children of members of these Companies should receive some special education from them?—That they should be able to do so; that a man should be able to go to the officers of the Company and say, "Where can I get the best education for my children?" and they could enter the names and keep a record of them, and he would feel that he was part of this great society, and that his children might also become participators in the same benefit.

137. You also contemplate that the Companies should take some steps for providing better lodgings for the members of the trades?—It seems to me that, wherever there are great centres of industry, there is nothing so necessary to the well-being of a tradesman and the well bringing up of his family as something like a home which he may call his own; and these Companies may enable him to become the purchaser of a home for a term of years, reserving the fee entirely to themselves. The largest outlay for a working man is what he pays weekly for his rent, and if he could know that, by some economy of his own, he would be able to purchase a dwelling for 30 or 40 years and have no more rent to pay, it would be the greatest inducement to good behaviour that could possibly be given to that man.

138. But is not that want to a considerable extent provided for by building societies?—I do not think it is provided for. Of course Sir Sydney Waterlow and others have done much, but it is far from being provided for, and they have not in those cases given them such a permanent interest in the building itself as I should like to give them, by which a man might be able to say, "I have provided a house for myself and family for the rest of my life." It would be a security; he would be certain of getting his daily bread as long as he could work, and the certainty of having provided for his rent would be a great thing with a workman.

139. Another part of your scheme, as I understand it, is that some portion of the funds of the Company should be expended in an eleemosynary manner, in the way of supplying almshouses or pensions, or allowances of that kind, to old members of the trade who are in unfortunate circumstances?—That is now a part of our present charitable system. The Companies hold trusts for that purpose, which they may, I suppose, find means of wisely administering, by making a selection amongst those of their members who have been the most deserving, and the most prudent in life, and not making it a bonus for carelessness or indifference.

140. I gather that your scheme mainly includes four separate objects: Firstly, that the Company should be a centre of information for the trade; secondly, that it shall supply education, at least technical education, to the trade; thirdly, that it shall supply, in some manner or another, house accommodation to the members of the trade; and lastly, that it shall make provision for aged and disabled members?—Certainly, to make provision and to encourage providence on the part of those persons.

141. Have you considered at all, if the whole funds of the Companies are to be expended in this manner, what would become of their buildings, their halls?—The halls would be very well preserved as a centre to which all those affiliated members that I speak of would very probably belong. They would be open to them for occasional lectures and public meetings, and also for entertainments, which, in moderation, I see no objection to.

142. (*Sir Richard Assheton Cross.*) Do you propose that they should have any governing power over the trades?—No.

143. You do not propose that they should have any part in the regulation of trade?—No.

144. How many Companies have any remnant of that at the present moment?—That is a question which it would be difficult to answer—many of the Companies have now split into so many trades. Take the Drapers', Haberdashers', and Mercers', they now embrace so many industries of modern times that they would at least bring in a considerable portion of the working population of the country.

145. I mean actually connected now, like the Goldsmiths' Company?—Three or four of the Companies have some connexion with other trades. The Apothecaries' are under an Act of Parliament, the 55th of George III. Then there are the Scriveners', under the 41st of George III.; then there are the Founders', under the 41st and 42nd Victoria; then there are the Gunmakers', under the 31st and 32nd Victoria—they have some connexion with the trade; and there are the Goldsmiths', under the 7th and 8th of Victoria.

146. Can you give a complete list of all the Companies who have any connexion with their trade?—I cannot do that.

147. I will not ask you further about that, but I understand it is not part of your scheme to give to any of those concerned the power to connect themselves with other trades or to enlarge the powers of those Companies that have connexion now?—No; I was not endeavouring to enlarge their powers, but only their useful functions.

148. You do not propose in your scheme that the Company should have anything to do with the matter of wages, I presume?—Not at all. What they would be enabled to do would be to inform their members what the condition of trade in various places is, and what the rate of wages is; it would be only a matter of information.

149. Do you propose that the Companies should extend their operations beyond London?—Beyond London—to all productive places. I take this to be the case, that with regard to London one thing was connected with distribution and the other thing connected with production, and that which was formerly centred with London has extended throughout the country. I have worked this out in a rough shape. I think that the London Companies should invite affiliated companies in Birmingham and Manchester and the other great towns to join them, and thus they would have affiliated companies dealing with them upon the same principle. The very circumstance that the London Company invited the association would act as a great impulse on the other towns to start a company in communication with them.

150. I do not see how the company is to be formed; according to your plan you have got a company with 8,000*l.* or 10,000*l.* or 20,000*l.* a year?—Yes.

151. Then any member that came into that company would naturally expect to receive considerable benefit from it?—I do not think they would necessarily receive any direct pecuniary benefit, but they would receive greater means of knowledge.

152. I thought you spoke of having something done in the way of the education of his children, and enabling him to get a house to live in, and persons to assist him, for which he should pay nothing?—Nothing in the way of charity. No accommodation in point of dwellings should be given without the most perfect remuneration to the company, recouping the company what they pay; it should be co-operation, in fact.

153. It is to be a large benefit society?—Yes.

154. What is to become of the 20,000*l.* a year, because if all these people are to pay for everything they receive afterwards—I do not see what is to become of it?—By the time you have established it—by the time you have gone on with your technical education, giving prizes, taking the names of all the children of the members of the company, and the schools which they go to, which would begin with public elementary schools, taking them there, and giving rewards and prizes, and exhibitions at technical colleges, and giving travelling fellowships to workmen going to other countries where their trades are carried on, a good deal would be expended.

155. How do you propose that these members should be elected?—A certificate that a man has been carrying on a certain trade, and the payment of a small admission fee, should be sufficient to entitle him to be elected.

156. And with an annual payment too?—A small annual payment to keep up his connexion.

157. But I understand you to say that there must be a sufficient payment, either at starting or year by year, to cover all the pecuniary benefits which he would receive from the company?—All the benefits which he would be entitled to receive from the company covering those, but not covering the advantage which his children would gain by being encouraged to exertion by getting prizes for exertion, and not covering the advantages which he would have by his procuring lodgings and being able to purchase a house in which to live without any profit being exacted from him by a speculator. In work of this nature there are an immense number of details.

158. I only wanted to get the facts of the scheme, because I understand that in a benefit society the members always pay sufficient to cover everything which they can possibly receive afterwards?—That is so, I suppose.

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159. (*Sir Sidney Waterlow.*) Did I rightly understand you to say, in answer to the President's general question, that you would divide the responsibility of the Companies under four heads: first, that they were to be a centre of information for the trade, in order to look after the interests of the workmen; then, that they were to promote technical education; then, that they were to provide houses for the workmen; and then, that they were, fourthly, to make eleemosynary and charitable contributions?—They will do all those things; but I do not limit it to that.

160. With regard to the first, do you not think that the workmen, as a body, would object to the regulations affecting their personal or trade interests being deputed to the masters, when they have organisations for controlling and managing them themselves—places where persons wanting workmen may go, and places where workmen seeking employment may wait. There are, connected with each trade in London, places of that kind; do you not think the workmen would be jealous, and think it an undue interference by the masters, if they undertook that work?—I do not propose any interference. I thought that the officers of the Company might collect the best information they could get, and communicate that information to the members; but I did not presume to propose any interference.

161. Take the case of the Company which has the most connexion with the trade to which its name is attached; namely, the Stationers' Company, which, I think you are aware, is still carrying on the trade of printing, as it did under its original charter; that Company still only admits persons connected with the trade, and that the workmen in that trade have organisations of their own for controlling the matters which you have referred to; do you not think that if the Stationers' Company, consisting of masters, interfered with that, they might feel that they were not the persons who ought to regulate the men's matters?—That Company, and also the Scriveners' Company, and one or two others, might be excepted. I speak of the larger and richer Companies, embracing trades in which thousands of persons throughout the country have employment, and who have now no organisation.

162. I think you have told us truly that the members of the majority of Companies are not connected with the trades which the names of the Companies indicate?—I imagine that that is so.

163. Do you think that it would be wise to entrust a person, unconnected wholly with the trade, with the management of hiring and settling the wages of persons wholly unconnected with the trade?—I would immediately introduce into these Companies persons fully connected with the trades and perfectly acquainted with them; in their present condition that could not be done. But my first proposal is to introduce members who shall be perfectly well acquainted with the trades.

164. Would you begin by confirming the right of membership to persons connected with the trade?—By confining the right of membership to those connected with the trade.

165. Would you compel a Company to admit a person connected with the trade, whether they liked it or not?—Certainly a person connected with the trade, I should do so, unless there were objections with regard to character.

166. Then any workmen connected with the Coachmakers' trade you think should be admitted as members of the Coachmakers' Company?—If he is a workman actually employed in that trade, that fact should entitle him to admission.

167. What status would you give him, that of a freeman?—That of a member of the Company, call him what you please, "freeman" is rather an invidious title now, when most persons are free more or less; I should give him the title of member of the trade of Coachmakers.

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168. Would you entitle him to become a member of the trade without payment of any entry fees, and would you permit him as such member to take his share of the funds of the Company?—I suggest the payment of an entrance fee.

169. How could a workman pay an entrance fee which would be at all approximate to the benefits which he would be entitled to derive?—I think that his benefits would be much more than his entrance fee, but I think an entrance fee may be properly required. I mean a small entrance fee; an entrance fee of a few shillings only would be enough.

170. Can you tell the Commission how long you think it is since the Companies generally, leaving out the exceptional ones, were connected with the trades to which their names belong?—When did they cease to admit members from servitude or patrimony?

171. I was admitted by servitude?—You were connected with your trade?

172. I was admitted to my Company by servitude, but my Company constantly admit, every month, persons by servitude without patrimony?—You take the appellation and call yourself a member of that trade. You were admitted as a member of the Stationers' Company by servitude.

173. Would you entitle everyone to be admitted?—I do not know whether there is anything exceptional in the Stationers' Company, knowing no more about the Stationers' Company than the Mercers' Company, or any other. I should say that everybody should be admitted. There may be special advantages in the Stationers' Company which require exceptional rules; I cannot say whether it is so or not.

174. Turn from that, and take the Companies generally; how long is it, so far as you know from your researches, since the Companies generally were connected with the trades to which their names belonged?—I do not know when they were disconnected; if you mean by "connexion" actually prosecuting those trades themselves individually, that is another thing. I want to know when the Companies became disconnected with their trades. It seems to me that as long as you admit a member by patrimony or servitude, according to the original constitution of the Company, he does not cease to be a member of his trade.

175. Have you not stated that in the reign of Queen Elizabeth there was only one mercer in the Mercers' Company?—I was told that Queen Elizabeth sent to inquire why silk was so dear, and her Majesty marvelled much to find that there were only one or two mercers actually members of the Mercers' Company.

176. Did not that arise from the very early practice of admitting by patrimony only?—I daresay it did, but they were admitted as mercers, and the circumstance that the members of the Company ceased to be members of that trade was a mere accident; they might have ceased at one time, but they might have become so again the next year; it is merely an accidental circumstance that at one time, or for a certain period, they had ceased to be members of the trade, but they still went on taking that appellation of mercers, admitting their children by patrimony, and admitting other persons by servitude; and they still therefore, claim to have the title and benefit of the Mercers' Company.

177. From your knowledge of the constitution of the Companies generally, do you think there is more than one per cent. of the members of the Company connected with the trade to which the Companies belong?—They may not be actually carrying on the trade; probably they are not.

178. Has not that been the condition of things for two or three centuries?—That they are not actually carrying on the trade, I daresay, but I think they preserved their connexion with the trade; and they have recognised it now in their attempt to set up technical colleges, and in the other great efforts which they are making—they have always recognised their connexion with the trade, and have preserved it, and it has never ceased.

179. Have they recognised their connexion with the particular trade by establishing a system of general technical education?—I presume it is being attempted now.

180. What would you do with the Companies where the trades are extinct?—I should endeavour to find out what the article of necessity or convenience was which the Company was in the habit of making. I should then find what had supplied the place of that article, and I should say that those who now supply the article substituted for the original one should be members of that Company. Take the bowyers; they were makers of small arms, and all makers of small arms would be properly the successors of bowyers.

181. Do I understand you seriously to suggest that a part of the duty of the Livery Companies should be to search for good lodgings for the working men connected with their trade?—What I say is this, that there are now great difficulties in finding lodgings; it is recognised by Sir Thomas Brassey in his book, and recognised in other books, that one of the modern difficulties not known to workmen when these Companies were established has arisen in consequence of the growth of the population covering the different places with houses, and the difficulty of obtaining comfortable lodgings in which they can feel themselves at home; it has grown up in modern times, and that is one of the difficulties which, if the Company had the means of doing it, should be part of their function to get rid of; they are great owners of real property, and that property may be exchanged, but they may be still owners of real property in great cities; they may still have the fee, and the right of dealing with it, so that the subordinate interests of the workmen may be carved out of it.

182. Do you not think that providing houses for the working classes would be better done by an organisation specially established for that purpose than by the Livery Companies?—I should think it would be one of such a great benefit to their members that the Livery Companies, supposing them to be actuated by a high sense of public duty, would be very anxious to assist in maintaining, and also thus in encouraging, the associations that are doing the same thing.

183. If the Coachmakers' Company established and constructed a block of model lodging-houses, would it not be very difficult to confine them to coachmakers, considering the migratory tendencies of all trades?—If a building of this kind existed in many great centres of trade, and a man chose to move from one to another, the Companies might easily arrange for his transportation from one place to another, as a co-operative body.

184. Then the Companies must act in unison, and not separately?—Yes, the Companies must act in unison, if they could; I do not see any difficulty in their doing so. Take one of the model dwelling-houses, for instance, where a man became a purchaser of two, three, or four rooms, and he has purchased them for a term of 30 years; he applies to remove to Birmingham, and he says, "Give me the value of the "rest of my term of years. I want to exchange it for "some premises where I am going if they can be had;" and the Company as a co-operative body may do so, not receiving any benefit, and not sustaining any loss. It seems to me that a great co-operative body of this kind is what you stand in need of to give the working men some interest in the institutions of the country in which they live.

185. You agree with me that it must be done collectively, and not by each Company specifically?—When a Company is wealthy enough to do so, if they have affiliated companies in Birmingham, Manchester, and other places, there may be communication between them enabling all this to be done. In a book which I published in the year 1862, on the Improvement of the Dwellings of the Poor, I said, "If the homes of

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"the artisans in London were such as they ought to "be, it might be possible to adopt a mode of inter-"change of labour, beneficial both to London and "country workmen. With our facilities of transit the "town workmen might often exchange his employment "and his residence for a month or two with the work-"men in the country or at the coast. This would "offer again not only health and mental improvement, "but some of the advantages to skilled labour afforded "by the German system of travel amongst artificers."

186. (*Mr. Pell.*) I suppose you have given this question of the uses to which the funds of charities should be applied a great deal of consideration?—I have endeavoured to do so.

187. Have any other schemes presented themselves to your mind except the one which I have got here in print?—I am not at this moment prepared to say. Many suggestions cross my mind at different times, but I am not now prepared to go into them.

188. The result of a life's consideration is this which you have presented to us. Would you admit this much, that it is extremely difficult to apply any charitable funds without doing mischief?—Certainly.

189. And you think this is the least mischievous?—I am not dealing with charitable funds at all there—I deal with co-operative funds.

190. I thought the principle of a charity was embodied in your scheme; you are to find better dwelling-houses or means by which houses could be acquired, and leisure ensured for the workmen, which could only be done by the use of corporate funds?—By themselves becoming the owners of the fee, and by allowing the members of their body to take an interest to be carved out of it, either a life-interest or for short terms, not making a profit for the Company, but securing the Company from loss.

191. You concede this, that your scheme is in the nature of assistance to different workmen?—Yes, when people help one another, it is always in the nature of assistance.

192. You admit that at present they have the means of helping each other; that there is a constant intercommunication going on between the workmen of the different trades, and that there are newspapers started, Mr. Alsager Hill's for instance, by which people can ascertain where workmen are required?—Yes, I wish if possible to make the workmen feel that they have an interest in these great Companies, an interest which may make them friends of law and order, rather than feeling that the legislature regard them as persons having no interest in the country at all.

193. A sort of parental attention?—Brotherly attention.

194. (*Mr. Walter James.*) Have you ever thought what you would do under your scheme with the municipal franchise, or the parliamentary franchise, which is possessed by the Guilds?—What I have suggested in another place, as to the constitutional municipality of London, is that if you have a municipality for London, as has been suggested, with 240 members of the council, 40 of them should be chosen by the proprietors; and I would give to all these Companies, who are great proprietors, the amount of influence which their property would give them, which would be very considerable.

195. Then you would not altogether favour the connexion between the Companies and the Corporation, of which the Companies at the present time form an integral part?—No, I should not favour it; I should recommend no greater connexion than that of any other citizen of London.

196. You are aware that there have been for the last 30 years two Commissions which have very closely investigated all the affairs of the colleges of the Universities of Oxford and Cambridge?—Yes.

197. And we have had it stated before us that the funds of the Companies are equal to the collective funds of both the Universities, and also the colleges?—It is so stated.

198. Can you imagine any reason, if there have been two inquiries into bodies like the Universities and colleges, why a public investigation should not be entered into of the affairs of the Companies?—Certainly not; it seems to me that you are dealing with public property, which is distinct from private property.

199. You recollect all the investigations which have taken place, commencing so far back even as the year 1818, under Lord Brougham; there was great reluctance, was there not, during the progress of all these inquiries into the charities in the country, to give evidence?—I do not know that I have had an opportunity of communicating with any person as to what took place so long ago; there was an inquiry in the latter part of the last century, when returns were published.

200. But Lord Brougham's Commission acted under statutory powers?—Yes.

201. There was great reluctance, was there not, on the part of all the trustees, to give evidence?—Probably there might have been; they never would have obtained the information without statutory powers.

202. Your opinion is they would never have obtained the information without statutory powers?—Yes.

203. Why do you think statutory powers in that case were of such value in compelling the Companies to give information, because statutory powers cannot compel persons to speak?—No, but if the question was not answered with reference to a trust, it would be contempt of the Court of Chancery, for which they might be committed.

204. There has been great opposition, at different times, ever since the year 1853, since the establishment of the Charity Commission, to any extension of the law of charitable trusts; that is so, is it not?—Several attempts have been made, but they have all failed. A bill was brought in by the present Commissioners last year, which did not pass. Great difficulty has always existed in getting any additional powers.

205. Did not the great opposition to any amendment of the law of charitable trusts or any interference with charitable bodies, and funds held by trustees for charitable purposes, arise about the year 1863, at which time, I believe, Mr. Gladstone proposed to impose taxation upon the charities, and other proposals of that kind were made?—Yes, to get rid of the exemption; there is at present an exemption.

206. I do not want to go into that, but there was great opposition at that time; and I ask, has not the same opposition reappeared every time that any proposal has been made for altering the law with regard to charitable trusts?—I do not think that many attempts have been made in the legislature to alter the law of charitable trusts.

207. An attempt was made in 1873, by Mr. Winterbotham; did he not introduce a bill with Mr. Forster?—That was a bill giving certain powers to the Charity Commissioners.

208. If you had those powers which it was proposed to give you under the Act of last year and by that bill, do you not think there would be means of dealing with charities connected with the Companies, by which you would be prepared to put forward schemes for dealing with them with great public advantage?—I daresay there would be.

209. Why is it that the Companies themselves do not propose to put forward schemes and put forward proposals?—I apprehend that no public body likes to diminish its own power; and having now power to act according to their own discretion, they would see no necessity themselves, being satisfied with the way in which they administered their funds, for abrogating the powers and placing themselves under another rule.

210. If it was for the interest of the public, do you think that they would diminish their own powers?—In many cases no doubt they would do so; in distributing pensions or benefits of that kind, which is a mere matter of favour; if it were done with a full regard to deserts of every kind, I daresay their powers would be diminished.

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211. Their powers would be diminished; it would diminish their power of conferring personal favours, and to a certain extent also political favours?—I suppose so.

212. But, looking at it from a public point of view, do you think that the benefit which they would confer upon the public, in their capacity of distributing public favours, would be diminished?—It is difficult to say. The question is so general that I feel a difficulty in answering it.

213. In the report which was published two years ago by the Commission appointed to inquire into the City parochial charities, there is this passage: it says, "Many parishes receive small payments from divers "of the City Companies, the origin of some of which "is unknown or very obscure. It would be desirable "that this matter should form the subject of inquiry "in the event of the appointment of any Commission "hereafter to be entrusted with the task of dealing "with the City charities." Are you acquainted with that passage?—I do not know where it is found.

214. It is from the Report of the Committee appointed to inquire into the City Parochial Charities?—I know that there are many small sums which have been left by men who lived in a particular City parish.

215. I can give you any number of them; your reports which you publish are full of them?—Yes.

216. Why is it that the Charity Commissioners have not attempted, under their present powers, to deal with any of those charities?—They have not power to initiate any proceedings unless an application be made to them by some of the inhabitants of the parish interested, or by a majority of the trustees administering the fund.

217. You can do so in any case, can you not, if it is under 50*l.*?—If it is under 50*l.* it must be an application from the inhabitants; if it is more than 50*l.*, then it must be an application from a majority of the trustees.

218. Cannot anybody put the Charity Commission in motion if it is under 50*l.*?—No, only a motion to inquire; they can tell them that it is being very badly managed, and there must be inquiry into it.

219. I will give an illustration at random. Here is the charity of Lynn John Bradbury, who left a property to the Mercers' Company—this is the parish of St. Stephen's, Coleman Street: the Mercers' Company pay 38*s.* a year in respect of this charity, and the value of 2*s.* 6*d.* in coals to the occupiers of certain almshouses; you have no power to deal with a small charity of that kind?—None, unless an application from the persons interested be made.

220. These reports are absolutely full of such cases—you find them almost on every page; do you think it desirable there should be an extension of the law of charitable trusts, to give you power to deal with such a case?—Certainly.

221. (*Mr. Burt.*) I understand you to make a distinction in your suggestions between the producers and the distributors; you said that you would confine the producers to London?—I would confine the distributors to London.

222. And the producers you would extend to the provinces; why do you make the distinction?—Because the work of production, since the establishment of the Companies, has been spread so much more beyond the Capital, to all parts of England; whereas the work of distribution is applicable to London and the suburbs alone. The business of manufacture has spread through all parts of England; and therefore I think it would be desirable to connect the whole of the associated trades together, inviting,—and I think we might well expect our invitation would be accepted,—the other great centres to become affiliated societies, having the same object in view. There is now an opportunity of commencing a great co-operative movement; an opportunity which has never occurred before.

223. You have expressed your opinion that the property of Companies is public property, and that applies of course to trust and to corporate property?—Certainly.

224. Your object is to utilise it as much as possible, especially in the direction in which the Companies were originally established?—Exactly; that is my object.

225. Do you know how much of the expenditure of the Companies is for entertainments?—I see some large sums are stated in the papers which have been lately brought before me, but I have not had an opportunity of verifying the sums; they are probably very large.

226. If we were to assume that it is above 100,000*l.* a year, would you consider that a proper expenditure?—I should hope that there would be a better mode of expenditure devised; which would be the case in the system which I propose.

227. (*Mr. Firth.*) I should like to ask you how a scheme like yours would work out in the case of such a Company as the Vintners'?—I am not at the moment especially aware of the condition of the Vintners' Company.

228. It is one of the twelve Companies; I ask you how would it work out with such a Company as the Vintners'?—It might probably not be adapted to them in all its forms.

229. I should think probably that that would be so; could it be extended so far as the Vintners'?—It might in some of its forms; as regards instruction, I suppose there must be some special qualification, even for that business, and they ought to know something of the articles in which they deal. There might be part of a scheme of technical education for the children of persons connected with them, and for assisting persons in visiting foreign countries and making themselves thoroughly acquainted with all the subjects which form part of their commerce; there is something even that the Vintners may have to learn.

230. Supposing that it were applicable to the case of the Vintners, would you include in the benefits of your scheme the whole wine trade of this country?—I suppose, with regard to the Vintners it would be especially matter for the distinction which I have taken, of producers and distributors. I suppose no article which the Vintners' body need would be produced in London, and perhaps not much in the other parts of England; therefore I think it might be only necessary to connect the Company of Vintners in London and the suburbs, the original area of the Society.

231. Supposing I give you the Grocers' Company as an instance; would you allow people following that business all through England to have the benefit of this scheme?—I think that there should be associations throughout England, if it could be extended so that there would be each member contributing at least as much as the cost which his association with the Company would impose upon him, contributing annually a fee of entrance; and that union may be a matter of great value to that very large body coming under the head of grocers.

232. In technical education it might be so, but I am speaking with reference to workmen's dwellings?—That is a special matter; I should think it would not apply to that, because the grocery trade is not anywhere congregated like large manufactories. I speak of those trades where there is a great organisation of workmen in a particular spot.

233. Have you considered that the scheme might result, in some cases, in removing the benefits altogether from London; such a trade as the salters', for example?—Yes.

234. In the case of the salters, all the money would go into Cheshire?—It might do so. It would be a benefit to the body contemplated; it would be of very little difference to anyone in London if removed from London.

235. Do I understand that you would not preserve in any form the present governing framework, so to speak,—the master, wardens, and so on?—I think there would be no difficulty in preserving the present framework, by admitting a method of election and

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enlarging the body. I do not see why the present framework should not be preserved.

236. You are aware that members following certain trades are considered as having the right of entering the Companies bearing the name of those trades in London?—It is not the case with all of them, I suppose. Who would be considered as having the right of entering the Mercers' Company?

237. As you know, the Companies vary immensely; no single principle applies to all of them?—No, and therefore it is exceedingly difficult, in suggesting a reform, to suggest anything applicable to all.

238. Would you entertain the system of apprenticeship?—I think the system of apprenticeship would be superseded by a system of instruction other than apprenticeship; the system of apprenticeship is one that is going out in every case almost.

239. Would you entertain a division similar to that between freemen and liverymen now, which is a division of status?—No; I do not think such a division as that should be retained. I do not see the value of it.

240. I noticed your answers as to the connexion with the trade continuing so long as they admitted people by patrimony and servitude—that was so down to the reign of William the Third to a very large extent, was it not?—Yes.

241. Are you aware that many charters were granted during the time of the Stuart sovereigns specifically dealing with them as trade organisations?—Yes.

242. We have not had any discovery of the title-deeds of the Companies; do you consider it a matter in which the Charity Commission ought to have larger powers than it has?—No, I cannot venture to say that, because if you had that, it would give to a special body the power of inquiring into private titles; so long as they claim to be private titles, I do not think we could have power given to us to inquire into them—we can only deal with that which affects the matter of the Charity.

243. Do you not consider, in addition to the objects which you said the money of these Companies was available for, having regard to the fact that they are an integral part of the Corporation of London, that much of their funds is rightly available for general municipal purposes?—I should say not. I think the municipal purposes of London would be provided for in other ways than by a tax upon particular trades. I say a tax upon particular trades, asssuming, as I do, that the property belongs to the trades.

244. Would you consider, when a Company was empowered to purchase land contrary to the Statutes of Mortmain, and did so purchase it, being at that time an active trade organisation, that that money ought not to be made available for the trade?—No, it has been taken by the Company and held by the Company during a long period, by which a title would be gained by prescription.

245. I will put the case rather more definitely. If we take a case of which there are scores of illustrations in these reports; take the case of a charter granted by a sovereign of the House of Lancaster, and the condition precedent to the holding and purchasing of land is that the proceeds shall be used for the benefit of the poor practising a particular trade; as, for example, in the Goldsmiths' Company—those who suffered from the Fire; would you not say in that case, the present condition and income and receipts from that property should be available for the benefit of the poor of that trade, no matter what has happened to that Company?—Available for the trade, but I do not think that it should be limited to the poor of the trade—it should be to help to keep them from ever being poor. In the case of moneys given for the poor, instead of applying it in that way, one likes to apply it to prevent poverty; one likes to deal with the disease itself rather than the symptoms.

246. Have you an opinion to offer with respect to the question of trusts being dealt with by a court of law, whether they ought not to be dealt with by a State department?—I think no court of law has power to deal with this matter; they could not be dealt with. I do not think there is any appeal to a court of law which would be of the slightest benefit, or would do more than incur the cost of the proceedings.

247. In such a case as that alluded to by my friend Mr. James, where funds have been left and a certain sum payable to one of the City parishes, where the amount is under 50*l.*, would you not give complete power to some authority to deal with cases of that kind, without initiation by the parties interested?—Yes.

248. To what authority would you give the power?—A well-constituted body. It might be a fixed number of commissioners, or it might be a body (as has occurred to me) composed of certain qualified persons, say 10, and in every instance professors of political economy in the Universities, or persons of a certain status in society; they should form a board, and at their meetings questions with regard to the extension and distribution of charities should be referred to the board thus formed, and their advice should be followed.

249. In the Endowed Schools Act of 1868 there is section 30, which provides that in case of trusts failing or that have become in such a condition that they cannot be perfectly applied with the consent of the governing body, such trusts or their income may be applied to educational purposes?—Yes.

250. Do you consider that the words "with the consent of the governing body" might be usefully excised from it?—Yes, I think so; in many cases it might be well done, but the legislature have been unwilling to give that power to anyone.

251. Is it not the fact that, owing to the existence of those words "with the consent of the governing body," that section has become practically inoperative?—No, it is not inoperative.

252. In a large number of cases is it not so?—In a large number of cases, but it has been operative also in a large number of cases.

253. (*Mr. Alderman Cotton.*) You have been answering some questions as to vestries; this inquiry is only with reference to the Guilds. You are aware, are you not, that the whole of the charitable trusts of the Guilds have been placed in the hands of the Charity Commissioners, under the old scheme, and under the improved scheme?—No, they are not vested in the Charity Commissioners at all. I am not aware of any scheme that has been settled by which the charities of the Guilds were vested in the Charity Commissioners.

254. The Charity Commissioners have taken possession lately of the whole of the charitable trusts of Guilds—I speak with authority upon that matter; and if you will make inquiries, you will find that it is so—the only moneys which the Guilds are now dealing with are those which they consider to be their own property?—What you mean is, that the funds are administered under the direction of the Charity Commissioners?

255. The schemes are submitted to the Charity Commissioners, and when they are widened we have to ask their consent to the widening?—Perhaps you will refer me to one scheme?

256. There are a great many small schemes in connexion with the Saddlers' Company under which pensions and things of that kind are made?—I am not aware of any.

257. Are you aware that the Haberdashers' Company's schools are under the control of the Charity Commissioners?—Perhaps you refer to the accounts being given?

258. I call it a very strong control when the Company are not allowed to spend any money whatever without the consent of the Commissioners?—We have no power of auditing.

259. You have an audit, have you not?—We make inquiries, but cannot disallow anything.

260. You say that you would bring the artisans of each trade in connexion with the Company which

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bears its name; do you mean that to apply to the whole of the artisans of the United Kingdom?—So far as production is concerned.

261. For example, you would bring in the carpenters?—Yes.

262. Can you give any idea how many thousands of carpenters that would introduce into the Carpenters' Company?—A great number, I daresay; but it would also afford to them much information they could not now obtain, and the fee which they would pay would meet the expense.

263. Do not you think that your scheme for the United Kingdom is a very ambitious one, and totally out of the power of any one Guild to perform and carry out?—You could only do it tentatively. You could carry it out first to a certain extent, but by making it open to all it would not necessarily follow that all would join; all those who desire to do so should be permitted.

264. You would give them full power of joining?—Yes, on the payment of an admission fee.

265. But you said you would do away with the livery and Guilds, and let them only be freemen; have you any reason for suggesting that?—No, the only reason is that I do not see any use in it; I see no objection to it, but I see no use in it.

266. The Guilds, in consequence of the absence of craftsmen belonging to them, have been used for the last two or three centuries in the light of a middle-class club, have they not, for the master, wardens, and liverymen, and freemen who belong to it?—Yes, to which club I wish to associate their workmen.

267. And to associate them with it upon application; but they are in the nature of clubs, are they not?—I presume so.

268. And as much entitled to immunity as any club at the West End?—The clubs at the West End are subscription clubs, without property.

269. (*Sir Nathaniel M. De Rothschild.*) You say you have no power to control the charities or the way in which the charities are dispensed by the different Companies?—None at all.

270. But you have the power of observation?—Yes.

271. Having the power of observation, do you think as a rule that the Companies, as trustees, have behaved honestly, or behaved dishonestly?—I am not able to place my hand on any act of dishonesty that I know of. I believe they have acted honestly, to the best of their judgment.

272. Whenever there have been any cases, you have taken notice of them?—Yes.

273. You took notice of it in the case of the Mercers' Company once?—I am not aware of the case.

274. You brought an action against them which you won, when you said that they had not applied all the funds to a certain school?—That was not the Mercers' Company; there were two cases, one the Merchant Taylors' Company and the other the Wax Chandlers'.

275. You have power of observation; so that if there were any gross violation of trust, you would know it, though you have no power of management?—Yes.

276. (*Viscount Sherbrooke.*) Supposing the plan you propose were carried out, what good do you think it would do?—In the first place, I think it would give a vast number of workmen throughout the country a feeling that they are cared for; it would give them an amount of information which they at present are unable to obtain; it would afford them advice with reference to the education of their children; and it might afford them in a great centre of population the opportunity of obtaining by their own means a home in which they could live in comfort, without being exposed to the surroundings which are now of a demoralising character; and by all this, and a variety of other consequences that would flow from the same condition of things, make a vast number of persons interested in order being preserved in the country, interested in the security of property, and interested in the vital preservations of our institutions.

277. What do you think would be the relations between such a body as you have described—this subsidised and petted body—and the rest of the community that have no such advantages; have you considered what effects it would have?—I do not think that the rest of the community having none of those advantages would be the worse for it. I think it would encourage the rest of the country not having those advantages to do much in imitation in endeavouring to secure the same benefits with those who had the advantage; for instance, if a man brought up a family living in his own house, he would be an example to his neighbours, and be much more beneficial to them than a drunken family; and by everything by which you encourage morality, and encourage exertion, and encourage industry and culture, and by every step of that kind, he would be doing good to all those surrounding him.

278. Is not your plan really that you would have a privileged class of these working people, some of whom would have benefits which are denied to the rest of the community?—There would be no privileged class; it would be a case of no more privilege than persons who subscribe to a club are privileged.

279. Do you mean that everybody who likes may subscribe to it?—Everybody who likes cannot now subscribe to a club.

280. That is not what I ask; is it your intention that everybody should be able to subscribe to this club?—Everybody connected with the trades——

281. With these particular trades?—With these particular trades, should be enabled to subscribe.

282. And do you command money sufficient to give those advantages to the persons who do subscribe, or is there any probability that you would command it?—Yes; I think the advantages I give in the first place are the information and guidance with reference to the manner in which a family is brought up; guidance and instruction where their business is prosecuted, where they can do it at the most advantage; and in a great many cases assistance, not in the way of charity, because they pay as much as it costs the Company.

283. But other people who are not so fortunate pay a good deal more than the cost?—Others may join the corporation, if they think proper.

284. Is it not quite evident that the plan you suggest could not universally be carried out throughout the whole of the country?—I think universally it could not be carried out; but it could be carried out amongst a vast number of the working classes.

285. Would not it really necessarily come to be a sort of petted trades union, established by the Government?—I think it would be so far a benefit that it would be a visible diffusion of benefits, which every other class, by uniting in the same manner, might gain for themselves.

286. I thought you told me you did not think it could extend to all classes?—The privileges of the Companies could not be extended to all classes, but this mode of operation being set on foot by the Companies, the same mode of organisation might be established by other persons not having the advantages of these Companies.

287. Is it your experience that combination among the working classes produces good either to the working classes themselves or to the rest of the community?—There are a variety of combinations; there are combinations for good and combinations for evil. Combinations which interfere with industry and other things may be evil; but I observed in one of the periodicals of this month a society for taking care of servant girls, finding them homes when they were out of work, and finding them employment; and it is found to be so beneficial that 3,000 or 4,000 girls have joined the society who might have been wandering about the streets, without the means of getting a situation, who are assisted by the society. That is a

mode of co-operation which is beneficial, and might be extended to every other person.

288. That is rather a question of chastity and morals than trade and labour, is it not?—No; chastity and morals may be much promoted by it, no doubt, but what is particularly promoted is that these persons can find employment, and good masters and mistresses are found for them, and arrangements are made by which, when they leave one home, they can find another; no doubt chastity and morals in reference to dwellings are promoted by such a scheme as mine, instead of the system of living in lodgings in which a woman may find in the next room a person of bad character.

289. Is it not quite evident that a system of this kind, carried on on a small scale,—for it is evident that it cannot go through the whole country,—would really be only spending a great deal of money to form a trades union?—So far from that being the case, my opinion is, that it would be copied by other societies; the benefit would be so obvious that, though it could not cover the whole country, yet other associations would be framed, in imitation of this, which would be capable of extending its benefits very largely.

290. Is it your opinion then that the desirable state for the working classes of this country is that they should be all in a state more or less of dependence upon somebody that takes them in hand, instead of being free to act exactly as they please?—On the contrary, I think that nothing is so desirable as that they should be in a free state, and not in a state of dependence; a state of dependence would not be created by co-operation.

291. Is it not a state of dependence when you provide people with lodgings, and all the different things you have spoken of that are to be done for these people who are happy enough to get into privileged bodies?—Not if they pay the full value of what they receive.

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292. There is an ambiguity there; you say they pay what the thing costs, but the people pay a good deal more than it costs who have not got these advantages?—That is the benefit I want to give to the working classes of the country.

293. To the whole of the working classes of the country?—As many as we can reach.

294. The effect of it would be that you would establish a privileged class, which would have great benefits, while other classes would not?—No; I establish a class, some of whom would have a benefit which they are entitled to, and which their own care and prudence will entitle them to, and their good example will in all probability influence a vast number as well.

295. Is it your experience that people who have to work hard for their living thrive more in proportion as the work is made light and easy to them than people who have to work harder?—Certainly not.

296. Is not that the effect of what you are doing?—I fancy not.

297. Is it not merely setting up a trades union?—I think it is not setting up a trades union, except that any association combined together for trade must be technically called a union; but not a union in any of its evil senses.

298. What reason have we to suppose that it would not be in its evil sense; has it not always been found that when the working classes unite together, it almost invariably ends in limiting the hours of work, and in the compiling of different rules that are made for the purpose of making the work easy and light for them?—I am not aware that it is so.

The witness withdrew.

Adjourned.

APPENDIX TO MR. HARE'S EVIDENCE.

MEMORANDUM (A) by Mr. HARE.

MY suggestion for the reform of the present administration of the Companies is, that their connexion with the arts, crafts, and trades which, according to the terms of their constitution they are designed to comprehend, shall be restored, including within the latter all the analogous trades and industries which have grown out of, or been developed from, or into which the arts and crafts originally named, have since expanded. The avocations included in the business of mercers, drapers, haberdashers, and clothworkers, would embrace vast numbers of the working classes, to whom an intimate association with bodies of the wealth and importance that these guilds have attained, may be made a source of great advantage. The members to be admitted may be of two main classes, those employed in the manufacture and those in the distribution of the several productions. The factories for production are now widely spread throughout the kingdom, and no persons engaged in them, wherever situated, should be excluded. The distributive workers, as keepers of shops and those employed therein, might be confined, as the companies now generally are, to London and the suburbs.

It is impossible not to see that the increase of population and the progress of wealth in modern times, followed up by the amazing changes introduced by machinery, and the boundless power of steam, has altered the old conditions and relations which existed between capital and labour, and has vastly widened the separation, and has, in many cases, produced what may be called an estrangement between the employer and the workman. Nothing is more important than to seize and make the utmost of every opportunity of creating a common feeling of interest, that the labouring classes may clearly perceive that their welfare is bound up with that of their neighbours, and of society in general. Efforts are being made by many with this view to give to the agricultural labourer an interest in his cottage and garden and allotment, or to enable him to acquire some proprietary right; and to extend to the working people of the towns the advantages which their association with these companies might confer, would, in like manner, be calculated to win and secure their adherence to the side of law and order.

The admission of the member to the company might be on a certificate of age, of his actual employment or trade, and whether obtained and taught by apprenticeship, or other instruction.

A small admission fee, not exceeding say 5*s.*, may be required, and an annual payment of a shilling or two, for preserving the connexion. The wardens and members composing the courts of the companies would be properly elected by the members at large. There would be no reason why the present members of the court should not be continued for their lives an additional number of newly elected members being added.

The identification of the companies with their trades, and the association of them with the working classes, may be beneficial to the latter in more ways than can, at present, be imagined. The names of the children of a member might be entered in the register of his company, stating the public, elementary, or other schools at which they are educated. They may be admitted on favourable conditions as scholars, and be encouraged to compete in prizes and exhibitions in the technical colleges. To these colleges may be added travelling fellowships whereby other countries may be visited, and their methods and appliances in the various arts and manufactures ascertained and compared with our own, and economical and artistic progress thus promoted. The officers of every company would be supplied with constant statistical information of the greater

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or less activity and state of trade in the chief manufacturing towns and districts, and where labourers may be needed, or are in excess. In the distribution of the eleemosynary funds, in alms houses, or pensions, or other rewards, they should, as I have elsewhere pointed out, be treated as rewards for those members who are shown "to have expended the best years of their lives "industriously and providently, and to have brought "up their children well."

There is still another, and even a yet higher service which these great companies could render to their affiliated members. The chief of the difficulties of the working man and his family in our populous centres of traffic and labour, is that of obtaining a comfortable dwelling, within his means. He is often compelled to live in filthy lodgings, at the mercy of those from whom he must rent them, and exposed frequently to boisterous and perhaps drunken fellow occupiers of the house, over which he has no control. Such a condition and its surroundings strike at the root of that temperament of mind which would promote habits of order and culture. Nothing appears to me more important than that the town as well as the country labourer should feel that he has a home, into which he may at all times quietly return, and where he may gather and preserve any books, furniture, or other articles for his comfort and enjoyment. The same want, and its accompanying evils, exists abroad. In a book, treating elaborately of the state of the labourers in Paris and other towns in France, I have just read,—"Le loyer "pour le travailleur est souvent la cause du désordre "dans le ménage, surtout avec l'élévation exorbitante "de ces derniers temps. L'impossibilité de trouver un "logement d'un prix possible, la rapacité et les "prétentions de certains propriétaires, sont la cause "souvent, très-souvent, de découragements incroyables, "de haines implacables, et la base de misères effrayantes "et d'avilissements honteux."

A portion of the accumulated funds of the companies, and the produce of some of their present real property, as it could be advantageously sold, might be gradually employed in the purchase of house property in London, and in the immediate neighbourhood of the great centres of labour, or on spots readily accessible therefrom. Any necessary alterations and improvements in the property may be made adapting it for the habitation of the members of the company and their families to whose places of employment it affords convenient access. Of these properties the company should hold the fee, and enable their associate members to purchase or take leases for any terms of years which they may agree upon, payments graduated or otherwise, being accepted from the purchasers, prices and rents being fixed at a rate which shall be sufficient fully to reimburse the company. A house may be let as a whole or in rooms or flats, as required by the tenant, and if he desires to extend or to surrender his lease, he may do so at rates regulated by tables calculated to secure the company from loss, but without exacting profit. Or the workman may remove to another situation or another town in which the company, if they have premises there, may enable him to exchange his dwelling on suitable terms. In this disposition of property it will be observed that I contemplate nothing in the way of charity. I am regarding the company as employing a portion of its wealth in securing comfortable homes for its members, avoiding at the same time any loss of capital, but seeking no accumulation of profit from the transaction.

The highly endowed companies, the objects, conditions, and destinations whereof are the subject of this inquiry, may wisely and justly be brought into harmony with their early history, and made the nucleus of a coöperative union, of far greater extent, and wider and more benefical influence, than any which has yet grown up, or been formed during the progress of modern civilisation. They may be the means of binding together the various sections of employers and workmen, and directing their attention to objects in which they have a community of interest, and which minister to the prosperity and well-being of all.

MEMORANDUM (B) by MR. HARE.

I desire to explain that part of my former evidence which expressed my belief that the obstacles imposed by what is called the Mortmain Act to the devise of real estate for charitable or public purposes are a great misfortune. It seems to me that there cannot be too much of the land of the country devoted to public purposes, the State reserving to itself the power of regulating such purposes, so that they shall not be otherwise than beneficial, and placing the estates under the management of agents appointed for prescribed districts, who, while securing for the institutions for which the trusts are held, the due produce and profit, shall yet have regard to the general utility and benefit. The efforts and interests of occupiers in all the works of cultivation and of improvement might be promoted and carried out in every variety of form. Tenancies not longer than for a life or lives, or a term of years of similar duration, may be created by way of sale or lease, according as it may be deemed best in the joint interest of the public and the purchaser or lessee. By the word sale I mean that the lease may be granted free of rent, in consideration of the sum paid by the lessee at its inception or by subsequent instalments, if the lease be not made at the full rent at the time. Where the management is by a public officer, as that of all lands held in mortmain or on perpetual trusts should be, the personal views, prepossessions, or prejudices of a private owner of agricultural land, often almost inevitably antagonistic to any thorough encouragement or development of the subordinate interests of tenants and occupiers, are entirely eliminated, and inducements for unlimited expenditure of capital and labour in improvements may be held out. If a private owner was asked by tenant to grant him a lease of a part of his estate for his life or for a term of 50 or 70 years, with unrestricted powers of improvement, the private proprietor, actuated by reasons with which most persons might sympathise, would probably refuse such a concession. It would deprive him of that authority and dominion over that portion of his estate, and the occupiers might have power to deal with it in a manner that would be unpalatable or offensive to him. A long lease, moreover, granted on the payment of a gross sum to the owner of the fee, would be inconsistent with most settlements of real property. These obstacles to the creation of subordinate holdings of an independent character under private ownership, would have no existence in the case of the public estates. The public would have no prejudice against parting with their authority over such of its lands for the term agreed upon, and would be satisfied and secure on the possession of the annual rent or of the equivalent capital sum. Again, the tenant under public ownership might be enabled at any time, under suitable terms, to extend or to surrender his lease or commute his rent. Tables of value and duration might be settled analogous to the terms on which insurances for life or pensions at specified ages are arranged. No special arrangements of this kind are generally possible with regard to interests in lands held under private owners. The commercial facilities of dealing with land would be thus indefinitely multiplied. The interposition of the State to prevent land from being devised to public purposes, which has gone on for nearly 150 years, therefore, appears to me a most absurd and mischievous policy.

THIRD DAY.

Wednesday, 22nd March 1882.

PRESENT:

THE RIGHT HONOURABLE THE EARL OF DERBY, CHAIRMAN.

HIS GRACE THE DUKE OF BEDFORD, K.G.
THE RIGHT HON. LORD COLERIDGE.
THE RIGHT HON. SIR RICHARD ASSHETON CROSS, G.C.B., M.P.
SIR NATHANIEL M. DE ROTHSCHILD, BART., M.P.
SIR SYDNEY H. WATERLOW, BART., M.P.
MR. WALTER H. JAMES, M.P.
MR. PELL, M.P.
MR. THOMAS BURT, M.P.

MR. H. D. WARR, *Secretary.*

MR. HENRY LONGLEY called in and examined.

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299. (*The Chairman.*) I need hardly ask you whether you are a Charity Commissioner?—I am.

300. How many years have you held office?—Nearly eight years; I was appointed in 1874.

301. You have, in your official capacity, had dealings with various amongst the City Companies?—With some.

302. We understand the Companies are bound, under an Act of Parliament, to submit an account of their expenditure on charitable purposes yearly to the Charity Commissioners?—They are.

303. Has that Act been complied with?—Yes, it has with more regularity than is the case in most other charities. I have got a paper here which shows the dates of the latest accounts which we have received from the Companies, which will show that they are not far behindhand. The accounts appear to have been all rendered for the year 1880, with only two or three exceptions, and a considerable number for the year 1881; and when I say that they have been rendered for the year 1881, that is really more than they are bound to do, because they are not bound to return the accounts till the 25th of March 1882, so that this is what we should consider a very good state of accounts.

304. On the whole you consider that they have discharged their duty under the Act in a satisfactory manner?—So far as rendering accounts is concerned.

305. Do you require the production of vouchers, or do you in any way verify the statements which they make to you?—No, we do not. I should be glad to read a passage or two from the earlier reports of the Commissioners upon that subject, because there has been a good deal of misapprehension in the public mind as to the duty of the Commissioners in that respect. In the 14th Report of the Commissioners, for the year 1866, we say that certain advantages which have been stated are all "secured without any "general examination or central audit of all the accounts "in our office. The Charitable Trusts Acts do not "prescribe, nor as we think contemplate such a gigantic "operation, for which, moreover, the existing establish-"ment and machinery of our office would be utterly "inadequate. In all necessary cases, however, the "accounts are subjected to a rigid examination under "our direction." I cannot answer your Lordship's question better than by quoting that.

306. I understand it to mean that you do not insist upon the production of vouchers or go into the question of accounts in general, but that you would do so if you thought there were special reasons calling upon you to do so in any particular case?—Yes; and I should be glad to add that we do not institute an examination of all the accounts that come to the office by any means. A Bill was before Parliament last year for enabling us to institute an effectual audit of those accounts, which Bill did not become law.

307. Taking such a case as that of a school or any building for charitable purposes being erected by a Company, in compliance with a charitable bequest, out of trust money, would you be bound to satisfy yourselves that all the trust money authorised to be spent upon the building had been so spent, or would you take the statement as you received it?—I had better describe our practice in that matter. The Companies, like other trustees of charities, have no power to expend capital without our sanction; they must come for our sanction for the expenditure of capital, and we should require certificates from the architect that the amount was required. So far as the capital was in the hands of the Company, unless our attention was specially directed to any suspicion of anything being wrong, we should take it as your Lordship puts it.

308. In cases where the charity takes the form of pensions or gifts, I presume you have no power to satisfy yourselves that the persons receiving those gifts are in a condition to require them?—If we were informed or had reason to believe that the Company were not fulfilling their trust, we could send an inspector and inspect the mode of administering it; and if after inquiry it appeared to us that the Company were not discharging their trust, we could ask them to apply to us for a scheme, and if they did not do so, we should certify a case to the Attorney-General, who would bring it before the Court of Chancery in order that a scheme might be made compelling strict adherence to the trust.

309. But you would require to be set in motion by some complaint or appeal made to you?—Yes; we have no means of ascertaining more than that. The charities of the country are too numerous for us to be always inquiring into them; our attention is directed in a great many different ways to abuses in charities.

310. Are you aware of any cases in which a Company having trust money in its possession has diminished in numbers and finally broken up?—I am not aware except from reading papers furnished to me by the secretary of the Commission. We have no information as to Companies other than as trustees of charities.

311. Then it would be a purely hypothetical question to ask you what means you would adopt for the protection of a trust estate in such a case?—I have no experience.

312. It is a case which has never arisen?—It is a case which has never arisen. The small Companies have in some cases no trust estates; it is usually the large Companies that we have to do with.

313. Are you aware that the trust estates and corporate estates of a Company are very closely connected?—Yes, they are no doubt.

314. In many cases we have been given to understand that the charities which are trusts are rent-charges upon lands which are the property of the Corporation?—Very frequently.

315. In such a case would you have any power to interfere to prevent the land being sold?—No. The land in such a case would be vested in the Company subject to the charitable trust affecting the whole land, that is subject to a rentcharge in the way in which any land may be subject to a rentcharge.

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316. Then if the land were sold the rentcharge would remain upon the estate ?—Yes; if the land were sold the rentcharge would remain upon the estate. Of course there is a great risk of a rentcharge being lost in such a case, and numberless cases come before us in which rentcharges have been lost. It is a most precarious kind of charitable property, and one which we try to get commuted into capital.

317. Can you state of your own knowledge whether it has happened that when money has been left to Companies in early times, to be invested in land for charitable purposes, the Companies have not been able to point out to the Commissioners the land so purchased, or to show that the trust to buy land had ever been executed ?—I believe that to be the case. I have not in my mind any particular case, but I have a strong impression that cases of that kind can be found.

318. I presume that that would only apply to trusts where the money had been left at a very remote period ?—Yes, I think so. Trusts in the last century there would not be much difficulty in tracing, as far as my recollection goes.

319. I will put a more general question to you. Can you state your impression of the manner in which the Companies, generally speaking, have discharged their duties as trustees ?—I have only experience of a limited number of Companies; and in regard to those Companies I should say that they have been exceedingly liberal in their administration of the trusts, and in many cases, which are already known to the Commission, they have subsidised the trust funds, in many instances very largely, out of their corporate income. On the other hand, our experience is that their administration of the trusts has been on a very generous scale as regards expenses, almost lavish in some cases.

320. They have been liberal in increasing the trust funds where they were deficient, but they have not been very economical in their administration of them ?—No, not in the management.

321. Have any questions arisen with regard to the Companies' trust estates; questions affecting the proprietary right between the Company and the trust ?—Very frequently.

322. Are you of opinion that in such cases loss of trust funds has been caused by such legal difficulties as you have referred to ?—I have a case here which I think the Commissioners are aware of, but it is stated in a very compendious form in the Report of the Schools Inquiry Commission, in which it is obvious that a very considerable loss had been sustained in consequence of a particular view, which ultimately turned out to be the right one, not having been taken by the Company. (1) It is the case of the Drapers' Company, Howell's Charity; the reference is the 20th volume of the Schools Inquiry Commission Reports, page 154, and there it is stated that the charity was founded by Thomas Howell in 1540, who left to the Drapers' Company 12,000 ducats for providing certain yearly portions and so forth; and in 1559 the Court of Chancery ordered the Company, the income being 105*l.* a year, to deduct 21*l.* for expenses, and to pay the remaining 84*l.* to the four orphans, whose connexion with the founder was to be ascertained by the Bishop of Llandaff. "No further directions being given concerning the amount of payments "to be made, the Company paid the specific sum of "84*l.* a year for the purposes of the charity, and carried "the rest of the income to the account of the Company "until the year 1845, when the Master of the Rolls "declared the whole of the funds in hand and the rents "of the land to be applicable to the purposes of the "charity, and directed that application should be made "to Parliament for powers to extend the charity." I believe that the income of the charity is now 6,400*l.* a year.

323. (*Sir Richard Cross.*) I believe you have inquired into the details of this case of Howell's Charity ?—Yes. A scheme for the alteration of the charity is now before us. It was delayed in consequence of the appointment of a Committee the year before last to inquire into higher education in Wales.

324. Do I understand that they got into this difficulty by paying over what they thought they were bound to do, and having a great surplus, which they used for other purposes ?—They read a decree of the Court of Chancery, which was made in the 16th century, as obliging them only to devote to that purpose 84*l.* a year. When the case came before the Court of Chancery again in the 19th century the Court said that they ought to have devoted the whole income to the charity.

325. (*The Chairman.*) I understand that in that case the Company considered that the property was their own, subject to a fixed charge for charitable purposes ?—That is so.

326. And it was ultimately determined by the Court of Chancery that the whole property was trust property ?—Yes.

327. (*Sir Richard Cross.*) How do you distinguish on the Charity Commission ? Have you any broad line of distinction between trust property and corporate property ?—We have nothing to do with corporate property.

328. Do you inquire whether certain property is corporate property or trust property ?—Yes. When a case is brought before us we get the fullest information we can, and sometimes we find it necessary, as in the Wax Chandlers' case, to send to the Court of Chancery.

329. Can you draw a distinction between one and the other ?—Yes, whenever there is a trust declared by an instrument of the founder for a charitable purpose.

330. If there was money left to a Company, to the Wax Chandlers' Company or the Goldsmiths' Company, or any other Company, simply in the name of the Company, without any trust attached, you would not consider it was trust property at all ?—No.

331. You would not consider that the mere fact of such a body as one of these Companies having money left to them would imply a trust for public uses ?—No; we should look and see if it was a trust to charitable uses within the intention of the Statute of Charitable Uses, which is our guide.

332. You would not take it that there was an implied trust from the fact of the money being left to the Company, but you would look to the specific trust in which it was left ?—Yes; a charitable trust, of course, may be inferred from expressions and so on.

333. The mere fact of a Company having money left to them does not imply a trust ?—No; that is my opinion.

334. (*Mr. James.*) It has been represented to us that there is no power at present to prevent any of those Companies (assuming that legislation was defective, and that the Company should be dissolved,) from appropriating and dividing amongst themselves the property; assuming that the dissolution of the Company took place, what would become of the trust property ?—It would still remain affected by the charitable trust, and it would be our duty to see that trustees were appointed.

335. You would appoint trustees ?—We cannot appoint trustees without proper application, and if we could not get trustees appointed in any other way, we should ask the Attorney-General to bring the matter before the Chancery Division for its decision.

336. At the time of the passing of the Municipal Act in 1835, there were many of these guilds in provincial towns ?—Yes.

337. And in some of those cases there were small trusts attached to those guilds ?—Yes.

338. Are you aware whether any of them were extinguished at that time ?—I have not been able to find any trace of that. I had an intimation that I might be asked such a question, and I made inquiries in our office, and I find that though we are aware of the existence of some of the country guilds as trustees

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(1) *See* evidence of Drapers' Deputation, p. ,

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of charities, we have nothing to show that any have failed. We have eight or ten as trustees of charities.

339. Are they trustees that you appointed yourselves?—No; they are trustees appointed by ancient founders of certain charities, some of them very ancient; the Merchant Venturers of Bristol and the Keelmen of Newcastle are two specimens.

340. You say that you find that the Companies were rather liberal and lavish as regards the management of trust property; that would not apply to all the trust property in the hands of the official trustee, because over that they have no control?—They have absolute control over the income. The official trustee is merely the custodian of the capital; it is the duty of the official trustee, and he is bound by the Act by which he is constituted, to remit the dividends to the acting trustees.

341. But by the appointment of official trustees, where the trust funds have been transferred to an official trustee, there has been an enormous saving in the charge and expenses to the Company?—A very considerable saving, because it saves all transfers in the first place.

342. Do you know the exact amount of trust property at present invested in the hands of official trustees, which belongs to the guilds?—No; but I can furnish the Commission with that information. I should say that it is a very small amount, and they have not been at all willing to avail themselves of what we consider the advantages of the official trustees.

343. Can you account for that unwillingness?—It is a reluctance among many trustees; they prefer to have the custody of the capital of their funds; while we, on the other hand, maintain and think we are warranted in maintaining that they are trustees to spend the income, and they can only spend the capital either by the sanction of the Court or our Board.

344. But they think, I suppose, that they are better custodians?—Yes.

345. (*Mr. Burt.*) I understand you to say that the Companies generally have complied with the law in rendering their accounts?—Yes.

346. There are exceptions, I suppose?—All the Companies, I think, have rendered the accounts. The paper that I have in my hand shows that every Company has rendered the accounts. The Bowyers' Company appears to be behindhand, and the Wool Winders; but it is doubtful whether they have more than one charity each.

347. I understood you to say that there were one or two exceptions?—The exceptions are these, that in a few instances we have not the accounts of 1880, but the 1879 accounts were the latest accounts.

348. They are not due yet for 1880, are they?—They are due for 1880, but not for 1881; though in some instances we have them for 1881, they are not due till the 25th of this month; but in a great many cases, nearly one-third of the cases, we have them for 1881. The accounts, I should say, are as a rule sent with very fair punctuality, and in the case of the Companies that I have to do with personally, they are exceedingly well made out.

349. You have power, I suppose, to compel the Companies to send them in?—Yes.

350. (*Lord Coleridge.*) There are two questions which I should like to ask you. One is this: has it ever been decided, and, if so, can you tell me where, that the charters constitute no trust? (1) (2)—I had occasion to look into a question analogous to that last year, and I have brought some notes which I made then. There are two cases I think which are generally cited. One is that of the Attorney-General *v.* the Corporation of Carmarthen, which is reported in Cooper, page 30; and the note which I have of that is that a court of equity will not interfere to prevent misapplication of corporate funds, as distinct from funds held by the Corporation, on express charitable trust. The next case that I have is the Mayor of Colchester *v.* Lonten, 2 Vesey and Beavan, page 226. In that case it was held that the "court of equity does not "attach the doctrine of trust, as applied under the "words 'corporate purposes,' to alienation of their "property by a civil corporation." There, Lord Eldon refused to interfere to prevent the alienation of corporate property not affected by the charitable trust.

351. That does not quite answer my question; those are municipal corporations. I am supposing the case of a corporation created by charter for a particular purpose, not invested with municipal authority, or a municipal corporation; but a corporation with a special object; has it ever been decided that the charter so creating them and pointing out to them that object create no trust?—I have not been able to find any case. Last year I took pains to try for a case, and I asked Sir Arthur Hobhouse to be good enough to help me, and he furnished me with most of the cases that I have here, all of which are on municipal corporations.

352. You see that there is a broad distinction in point of law?—Yes. I searched as closely as I could for such a case.

353. As far as you can judge, is there any principle of equity which should prevent the High Court from enforcing, if it could find it out, the obligation imposed upon the corporation by its charter?—I am not aware of any authority upon the subject. The only distinction which I thought I saw was that these charters were granted not directly for a public use.

354. That is rather what I am suggesting. Supposing it was granted for a specific purpose, is not the very ground upon which you enforce trusts that the money is entrusted to the corporation for a specified and distinct purpose, and not entrusted to it for its general objects?—Yes, no doubt.

355. Would it not be carrying a little further the same principle, where the corporation itself has a special object and not a general public object, and that object I will assume for the purpose of my question, capable of being ascertained from the charter, that it should be capable of being enforced?—I really am not aware of any authority upon the point.

356. It has never been decided to the contrary?—It has never been decided to the contrary, and I was very much pressed by the same question last year; I forget how it arose, but I took pains to ascertain how it was.

357. When was it first decided that a charity is not entitled to the equivalent of the whole bequest? Do I express myself clearly to you? I will assume that lands were bequeathed to the Goldsmiths' Company, we will say, then being worth 30*l.* a year, for the purpose of maintaining some poor scholars, and that 20*l.* a year was to go to the specified object, and the remaining 10*l.* was left unspecified, and would, therefore, pass to the general funds of the corporation. When was it first decided that when that 30*l.* becomes 3,000*l.*, the 20*l.* only should remain allocated to the charity, and the whole of the rest of the increment go to the private funds of the corporation?—It has been so decided from ancient times, certainly.

358. What is the principle upon which they should not be entitled to the proportion? I quite understand that, if the thing goes on increasing, the Corporation are to benefit in the increment as well as the charity; but why is the charity not to benefit at all; upon what principle was that ever decided?—It depends very much upon the terms of the gift; that is fully explained in Lord Cairns' judgment in the Wax Chandlers' case. He draws the distinction very clearly there. I should wish to refer to that and also to Lord Cranworth's judgment in the case of the Attorney-General *v.* the Dean and Canons of Windsor, in 8, House of Lords' Cases, page 369.

359. I know the fact is so, but I want to know the history of it?—Those cases will explain it in a great measure.

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(1) *See* Goldsmiths' Memorial, p. .
(2) *See* Clothworkers' Observations, p.

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360. (*Sir Richard Cross.*) Will you give us shortly what that case to which you refer was ?—It was an information by the Attorney-General against the Dean and Canons of Windsor, at the instigation of the Military Knights of Windsor, seeking to establish that they were entitled to a proportion of the increased value of certain property which the dean and chapter held, and it was eventually determined (and it is the only case in recent years in which the Attorney-General has been defeated) that the Military Knights were not entitled, and that the dean and chapter were entitled to hold it subject to a fixed charge.

361. (*Sir Nathaniel de Rothschild.*) You say that the Companies do not care to make use of the official trustees ; is that on account of the different investments that are made, or do they invest generally in consols ?—In consols almost exclusively.

362. And they do not choose other investments ?—I do not think that the Companies, as trustees of charities, are so fond of other investments as other trustees are. I think the Companies have great belief in consols, and in the general management of consols.

363. (*The Chairman.*) With regard to the application of the Companies' charities, are you aware how their trust income can be spent; have you got the figures before you ?—Yes, I have the figures.

364. Should we be accurate in taking it at 75,000*l.* for the relief of poor members, 75,000*l.* more for education, and 50,000*l.* for miscellaneous charitable objects, making 200,000*l.* in all ?—I am afraid I cannot verify those figures. I asked our Registrar of Accounts when I heard that I was to be examined, whether he could get out the figures, but he said it would take a very long time. I have no doubt that this information is quite as correct as any that we could furnish.

365. Have you any knowledge of the details of that expenditure ; would it come before you ?—Yes, we have all the accounts ; we can see how it is all spent if we refer to the accounts; and in the cases with which I have had personally to do I am aware of a good deal of the detail.

366. First of all, with regard to the relief of the poor members, how is it administered ; are there almshouses and pensions, or in what other form is it administered ?—I am not aware of any form other than almshouses and pensions in which it is administered, except that money grants are made in some cases, but a very large proportion of it is administered in almshouses, and a very large sum in pensions.

367. Do you consider that that system has worked satisfactorily upon the whole ?—I have had no means of ascertaining how far it has met the wants of the poor of the Companies, because I do not know how many poor there are in each Company ; we hear hardly any complaints on that score; the Companies are generally anxious that their almspeople should have sufficient stipends; and in many cases they have made up the payment from their own corporate funds.

368. We have had it stated that to the 200,000*l.* which I mentioned just now they add out of their corporate income 140,000*l.* more ?—That I have no personal knowledge of, and if the accounts would not show it, we should have no means of verifying it; they might, but the Companies are not bound to tell us all that.

369. With reference to the educational endowments, are you acquainted with the Mercers' Company ?—Yes ; I have had a good deal to do with some of the charities of the Mercers' Company.

370. They are trustees of St. Paul's School, and also of the Mercers' School ?—They are.

371. Are those schools largely endowed ?—Very largely. St. Paul's School has an income of about 12,000*l.* a year, which is now administered by a scheme made by the Endowed School Commissioners, about the year 1874 or 1875, which has since been amended in some details by the Charity Commission.

372. Have you had an opportunity of examining those schemes in detail ?—Yes, I have ; I have got the scheme here, and I have got the details.

373. Do you consider that the endowment is properly expended for the purpose for which it is intended ?—Perhaps I had better state a few figures ; the income being 12,000*l.* a year, the scheme requires them to maintain a school, or rather two departments of a school, for 1,000 boys, and a school for 400 girls, both of which are to be maintained within a short distance of London. The annual charges prescribed by the scheme, that is to say, for the payment of the masters for the free boys, and exhibitions for the girls, and for repairs, are 6,340*l.*; besides that, the income would have to bear the expense of examinations, management, and other expenses ; then they have to buy sites for these two schools, and to build the schools, which would involve a very large appropriation of capital. Nothing has yet been done in respect of the school for girls, because the governors are employed now in establishing the school for boys. I should say that the school is subject to two governing bodies; the Mercers' Company are the estate trustees, and manage the property, and pay over the income to the governing body, specially appointed under the scheme. The Charity Commissioners have sanctioned the expenditure of 41,000*l.* upon a site near Hammersmith, close to the Metropolitan District Railway, and they have sanctioned an expenditure of 91,000*l.* upon the school buildings, and those buildings have been in progress about a year, and pending the establishment of that school we understand that the governors do not propose to do anything in respect of the girls' schools; they are meeting this expenditure as far as they can out of the income of the school; but they will not be able to meet it all. So that the endowment, so far as we are aware, is very judiciously applied at present in carrying out the scheme, and probably, after the deductions of capital are made which are necessary to give full effect to the scheme, there will not be any large surplus.

374. Are you also acquainted with the Mercers' School ?—No, I have had no dealings with it.

375. Then you are not in a position to give an opinion as to its usefulness ?—No, I am not. I believe that a scheme for an endowment connected with it is either now in progress or will shortly be taken in hand.

376. Now with regard to the miscellaneous and charitable objects, we know nothing of them beyond their names ; taking the Mercers' Company as a type, can you tell us at all what they are ?—I think they are very largely almshouses and pensions, and small charities or doles, and of course education, with which we have dealt already. The Mercers' Company have very large pension charities and almshouse charities. One of the largest is Trinity Hospital, Greenwich, which was the subject of a scheme made by the Charity Commissioners five or six years ago, in which there was a very large surplus income indeed, which has been provided for by a scheme.

377. I take it from what you have said that in a considerable number of those cases the charities of the Companies have been examined by the Charity Commissioners, and schemes framed, and that they have been put in order ?—I should think that a great many of the more important ones have been, but by no means the larger proportion, if you take them numerically, but the more important ones have. There is one very important charity of the Mercers' Company not taken in hand, that is Sir Richard Whittington's Hospital, which is a case which calls for a scheme very loudly.

378. What is the case of that hospital; can you give us any account of it ?—The income is over 10,000*l.* a year. The original foundation was by Sir Richard Whittington for an almshouse. The Company expend 2,600*l.* upon the college, as it is called, and 4,550*l.* for 130 out-pensioners ; and they spend in compassionate allowances to about 60 persons close upon 3,000*l.* a year. I should say that there is no express trust for anything but the inmates of the hospital; therefore it is essentially a case requiring a scheme, because, as it has been often held by the Court of Chancery, the trustees have no power to

employ any of their funds, except in strict accordance with the trust, however desirable it may be. I had the case of this very charity before me the other day, in which property in King's Arms Yard in the City, previously let at 2,292*l.* a year, was relet at 7,000*l.* a year, the lessee covenanting to expend 50,000*l.* upon the property; that is the largest transaction of the sort that I have had to do with.

379. (*Sir Richard Cross.*) With regard to these schemes, Lord Derby asked you whether there were many schemes relating to these Companies which have gone through the hands of the Commissioners, and you said there were a good many numerically, but nothing in proportion to the whole number?—Yes; there have been from time to time several schemes. I have not any list of them; we almost always have some in hand.

380. You have no power to originate a scheme?—No; we can only move in the case of a charity over 50*l.* a year, upon the application of the majority of the trustees; and in the case of a charity under 50*l.*, upon an application of one trustee.

381. Would many of these charities be under 50*l.* a year?—Yes.

382. In those cases you have certain powers?—Yes, we require to be set in motion in every case; but an application in the case of a charity which is under 50*l.* a year may be by one trustee, or by two inhabitants of the place in which it is administered (that is a condition which it would not be easy to fulfil, because the charities are for the benefit of the members of the Company), or by any person administering the affairs of the charity, even if he is not a trustee, or by the Attorney-General.

383. Have you had many applications made by the members of a Company?—Very few.

384. Not any of the small ones?—No; we hear very little of the smaller charities; it is cases like Trinity Hospital and the larger almshouses that we hear of.

385. Have you had applications by letter?—No; we are moved from without very little in the case of the City Companies' charities; in the case of other charities we often get complaints from people outside.

386. Have you had any complaints from the other Companies against the courts of members of the Companies?—I do not remember one in my experience.

387. (*Mr. Pell.*) Do you consider that the distribution of these large funds in pensions to poor members, in education, and miscellaneous charitable objects serve any good purpose?—So far as the Companies are concerned, I have no knowledge; I should not think they serve any better purpose than almshouses for any class of poor; almshouses for the poor are beneficial, no doubt. If those poor persons are proper inmates of almshouses, I suppose they have been doing good.

388. With reference to so much as goes to education, does your experience of the distribution upon that object lead you to believe that it is serving a useful purpose?—I think in a great many cases it is being made to serve a very useful purpose by schemes that have been made; the former administration, in many cases, was not the best that could be devised.

389. With respect to St. Paul's Schools, is not that a case in which it may be said that the endowment is excessive?—I think it could hardly be said so under the new scheme; it probably was excessive when it only maintained 153 boys, as was the case before it was taken in hand; now it will educate at least 1,400 children.

390. The Charity Commissioners never originate schemes; they have ceased to originate them?—We never had power to originate them.

391. I thought that after the Charity Commission was first established, for the first two years, they introduced schemes of their own motion into Parliament?—Yes, into Parliament we did; we never do that now.

392. That has ceased now?—It has ceased. The reason for it has been clearly stated by Lord Sherbrooke in the evidence that he gave before the Schools Inquiry Commission.

393. Do you think if that power could be conferred, and that you could exercise it more rapidly and with less impediment, it would be a useful one as regards the charities?—Yes, I think it would. There was a bill before Parliament for that object last year.

394. With regard to the benefits which these corporations receive from the Charity Commission, of course if the legal estate was vested very generally in official trustees, there would be a very large saving effected to the Company or the corporation, inasmuch as there would be no transfer, no stamps, and probably less legal expenses?—I was wrong in answering in the affirmative the question put to me just now as to saving expense on transfers; in this case there is no saving of expense in transfers, because the Company are incorporated, and if the funds stand in their corporate name, then one of the arguments for transfer to official trustees does not exist.

395. I suppose the Charity Commission is really doing now a great deal of work, at the cost of the country, for the charitable trusts of these Companies?—A great deal.

396. The Companies contribute nothing whatever to the cost of the Commission, do they?—No.

397. You take no fees?—No; the stamps are affixed at a certain rate; the appointment of trustees has a 10*s.* stamp.

398. Does that come into the revenue of the Commission?—No; it goes to the Inland Revenue Office.

399. It can hardly be said that the charities are so poor that they should be exonerated from contributing to the cost of the good work which they get at your hands?—They are not poorer than a good many other charities.

400. They pay no income tax?—They are entitled to exemption from income tax; all funds affected by charitable trusts are.

401. A corporate property of 140,000*l.* would contribute, I suppose, to income tax?—Yes.

402. All the property of the Companies or the guilds, except that which is trust property, would pay?—Do not understand me as saying that as a matter of fact the trust property of charities does not pay income tax, but that they are entitled to the exemption if they claim it, but all over the country trustees omit to claim the exemption.

403. But by law they are not required to pay?—No.

404. (*Mr. James.*) You were a poor-law inspector for many years?—Yes.

405. Were you a poor-law inspector in the metropolis?—Yes.

406. Have you any experience as to the effect upon the poor rates where these almshouses existed, and where these charities were extensively distributed?—No, I do not think I can say that I have.

407. You cannot speak from your knowledge that where almshouses existed, or where there were large charitable distributions, it had the effect of drawing into these parishes poor persons, and thus largely burdening particular districts with poor rates?—I think that is the very common result of dole charities, but there are very few dole charities under the City Companies, and these almshouses and pensions are so frequently for the poor members of the Company that I doubt whether they would exercise much influence upon a London parish.

408. Is it the case that there are few dole charities under the City Companies?—Very few; the amount in our digest is exceedingly small.

409. Is it not the case that in connection with the City parochial charities there are an immense number

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of small sums distributed to the City parishes by the Companies themselves?—Yes.

410. Are they not very much in the nature of doles?—I am not prepared to say. Of course the Companies have nothing whatever to do with them when they have once paid them over. I was not including that. In our digest we deduct all the payments that they make to other parishes because they are not doles administered by the Companies. It is quite true that the Companies make considerable payments to City parishes, and I have no doubt that a good many ought to be applied in doles if you could find people to receive them.

411. They might be entrusted to the parish officers to distribute as doles?—Yes.

412. Have you any experience with regard to pensions?—No.

413. It is not your business as Charity Commissioner to know persons who are in receipt of pensions?—No.

414. I should like to ask you with reference to the schools—because you have had great experience ot these schools—what class of children are they generally who are educated at the larger schools which are under the administration of the Company of Merchant Taylors, the Mercers' School, the Tonbridge School, or St. Paul's School?—Tonbridge School, St. Paul's School, and the Merchant Taylors' School are public schools in fact, and I fancy they have very much the same class of boys as go to Charter House or Winchester.

415. In the scheme that you have framed in the case of the Tonbridge School have you taken merely children of parents of humble circumstances?—We have always tried to provide in those schemes for giving facilities for children of the lower grade to come to the higher grade school.

416. Do you find a desire on the part of the Companies to carry out that idea?—In the case of the Skinners' Company as to Tonbridge School, and of the Mercers' Company as to St. Paul's School, there is.

417. As to the Tonbridge School, I believe at the time of the scheme there were large contributions made by independent persons, not made by the Company?—I do not know how that is; in that case the Company made large additions themselves to the funds as well.

418. Do you not think with regard to schools connected with the Companies that the class of school which is more needed is a school which is between the grammar school and the elementary school, a sort of superior elementary school?—A school of what we should call the second or third grade, is that which is wanted all over London; you could scarcely establish too many of them.

419. Is it the fact that the Companies have been slow to propose schemes for schools of that class?—I do not think they have engaged themselves in promoting schemes until the passing of the Endowed Schools Act.

420. Do you know any one case in which a school of that kind was established?—No, I do not, but my connection with the Charity Commission is since the passing of the Endowed Schools Act. I cannot say what the Companies did before that.

421. With regard to the Cooper Street schools, Mr. Rogers' schools, I do not think they are connected with the Companies at all?—No.

422. Is that the class of school that you desire to see established?—Yes, that is the class of school that we desire to see established in London, and the class that we are establishing.

423. And you think that there is great need in London for the establishment of schools of that kind?—Very great indeed.

424. With regard to miscellaneous objects I have here a return of the London School Board, with which you are acquainted; taking one of the Companies as a type, I see in the case of the Mercers' Company, at page 228, an item of "Lectures 157*l.*;" do you know what the subject of the lectures was?—I take it that is the Gresham lectureship.

425. Attached to the Mercers' Company?—The Gresham lectureship is attached to the Mercers' Company; it is a case which we have always been anxious to deal with, but have been unable to do so.

426. Why have you been unable to deal with it?—There has been no application.

427. Why has there been no application?—We cannot move without an application; it is a case that has always been present to the mind of the Commissioners for many years.

428. Here is another miscellaneous object, "Sermons 417*l.*" Do you know what sermons there are attached to the Mercers' Company?—No; there are a great many charities all over London for sermons, small sums given for afternoon service, for preaching on Good Friday or Christmas Day.

429. The services are hardly ever attended, I suppose?—That I do not know. We have had cases brought before us in which the gift was conditional upon preaching a sermon, and the sermon has ceased because there has been no congregation.

430. Would it not be a great public advantage if you had certain powers by which you were able to consolidate many of these indiscriminate objects and use them for some purpose, such as the establishment of such schools as those to which I have just been alluding?—No doubt more could be done.

431. Could you in a few words state to the Commission what additional powers the Charity Commissioners would require to enable them to take up schemes of that kind?—In order to make a scheme under the Endowed Schools Act for dole charities or charities which have failed in their objects there would be required a repeal of the provisions in section 30, which require the consent of the trustees to such a diversion of the funds.

432. That was the proposal in the Charitable Trusts Act of last year, was it not?—No, not that; there was no amendment of the Endowed Schools Act proposed. You speak of the diversion of funds to education; there was no dealing with the education question in the Act of last year specifically, but if that condition were removed we could make schemes for any of these charities.

433. It is hardly necessary for me to ask you whether you have found in all your dealings with the Companies that the corporate trustees are admirable men of business?—Yes.

434. Do you think there is any guarantee under the present constitution of the court that the high business capacity of these gentlemen would be sustained?—I am very little aware of the present constitution, it has not come before me in any way.

435. Are you aware that in many cases the Livery Companies consist of members of particular families?—I have seen it stated in a paper which the secretary of the Commission has been good enough to furnish me with.

436. For instance, in the Mercers' Company there are ten bear the name of Watney, nine Walker, seven Collier, seven Hodgson, seven Smith, five Parker, five Sutton, and three Watson; does not that rather convey that the Companies, although essentially public bodies, are composed to a great extent of a limited number of private individuals,—clans?—I should infer it from that statement in the case of the Mercers' Company; but the Mercers' Company is admirably administered.

437. While such a state of things prevails, would you have any guarantee for the maintenance of that high business capacity for which the Companies are very justly conspicuous in many cases?—I suppose there is no special guarantee, except that it has been so.

438. (*Mr. Burt.*) Do you think the money spent for educational purposes by the Companies is, on the

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whole, wisely expended?—I think where it is expended under modern schemes it is very well expended; but where the funds have not been dealt with by schemes, probably the expenditure is very large in proportion to the benefits conferred.

439. Have many of them been dealt with by your schemes?—Yes, a good many. The most important one now being dealt with is the Bancroft School under the Drapers' Company. There the expenditure was very large in proportion to the results; but the Drapers' Company are going to make a large addition to their school, and it will be expended in the same manner as St. Paul's School.

440. Did the Commission take the initiative in forming the scheme?—In forming schemes under the Endowed Schools Act the Commission take the initiative, except in a certain case under section 30, which provides for the diversion of non-educational funds to educational purposes; there they can only act under the powers of the trustees.

441. Have you known any cases of Companies selling their corporate property, and dividing the proceeds?—No, I have no experience of that.

442. You do not know of any case?—No, I think not.

443. (*The Chairman.*) I understand you to say that you have no special knowledge of corporate property?—No.

444. (*Lord Coleridge.*) With regard to these schemes and the contributions that have been made by the Companies, has there been any inclination upon their part to maintain control over the elections and the disposition of the educational endowments?—I should say that there has been a very strong disposition to retain control over the management of the estates; but the Companies have not always objected to have other persons associated with them as governors of the schools. In the case of St. Paul's School the Mercers' Company are the trustees of the estate, and the governing body of the school—the body which administers the school—is a mixed body.

445. I do not refer to that. Has there been any disposition upon the part of the Companies to control the educational part and to interfere in the management of the school? I will put an example: Take such a case as this which has come before me; I should like to know whether it is a common thing for a Company to offer to a school two scholarships on condition that the Company should select the best of four names to be sent up to them?—I cannot remember an instance of that kind.

446. I refer to control over the intellectual results of their benefaction?—Yes. I may say in the case of the Drapers' Company, there was a great deal of discussion between the Company and the Commissioners as to the number of places which should be left to the Company's nomination. They were anxious to have in return, so to speak, for the large additional money endowment, a large number of free places at their disposal by nomination. We have reduced the number considerably, and it has been a subject of agreement with us. The school was about to receive a very large sum from them.

447. The result of that would probably be, if the whole intellectual rate of the school were taken together, to lower it?—Yes; that is why we set our faces as far as possible against it. I should say that the Drapers' Company now nominate every boy in the school.

448. (*The Chairman.*) Supposing that any proposal were made to require the consent of the Charity Commissioners before the Companies could buy or sell land or stocks, would you consider that that came fairly within the legitimate scope of your duties?—I should scarcely think so, as our duties are at present defined. It would be analogous rather to the power of the Treasury in sanctioning the alienation of the property of municipal corporations.

449. And in the event of a Company being required to publish their accounts, would that be a matter with which you would have anything to do?—Not as we are at present constituted. We know of no subject-matter of our jurisdiction outside the Statute of Elizabeth, which defines charitable uses.

450. (*Sir Sydney Waterlow.*) You were asked whether the Companies, as far as you can judge, were generally favourable to the establishment of superior elementary schools,—something between an elementary and a classical school. You mentioned that there are two; are you aware that the Haberdashers' Company have had a school recently established of that kind at Hoxton?—Yes; Aske's Charity.

451. Is that school, or not, now working very satisfactorily?—I believe it is.

452. Do you know anything of a similar school established by the Brewers' Company?—Yes.

453 Is not that of the character referred to?—I was under the impression that that was a school of a higher grade; but neither of those cases have been under my personal cognisance.

454. Do you know that there is a superior elementary school established by the Grocers' Company at Hackney?—Yes; that is a very flourishing school.

455. And doing great educational work amongst a large and new population?—Yes.

456. Do you know anything of the Stationers' School in Fleet Street, and that when some years ago there was an inquiry into these schools the Commissioners said it was one of the best schools of the kind in the City of London, not excepting the City of London School itself?—No; I do not know anything of that school. I have nothing to do with the Stationers' Company.

457. You do know something of Bancroft's School for girls and boys?—Yes.

458. Have the schools been, during the last ten years, very considerably enlarged?—Yes.

459. By a large legacy left by one of the court of the Drapers' Company?—I was not aware how it was.

460. You told the Commission that the Company had themselves supplemented that and all previous endowments by a very large grant from their corporate income?—Yes, they have.

461. Can you tell the Commission how the boys are nominated? They are not nominated by the Company direct, are they?—I can tell you how it is proposed; the scheme is not ripe yet. There are to be 100 scholarships of 50*l.*, to be awarded on competition by boys who have been for three years in any public elementary school of the metropolis, and 20 of these scholarships are to be awarded to poor boys to be nominated by the governors.

462. Are the governors all drapers?—Yes; and the remaining 30 scholarships are to be awarded to boys to be nominated by the governors, but they are to pay fees, that is, a class of paying boys; the other 70 are to pay nothing.

463. Have those boys that are to pay to pay hospital fees and tuition fees?—It is to be a fixed sum, and to be at the rate of not less than 20*l.* a year for each boy.

464. Is that education and board?—Yes, and also for tuition at the school.

465. As regards the control of these lower intermediate schools, from the opportunity you have had of inquiring about them, do you think that they are well managed and that they are accomplishing the objects for which they were intended?—So far as I know they are, but the schemes have so recently come into operation that some of them have hardly started yet. The Grocers' School, I know, is well managed, and the Aske School at Hoxton is going on successfully. Some of the others are hardly started yet.

466. May the Commission understand from your answer that there has been and is now an increasing attempt on the part of the Companies to establish

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these schools, some of them not having been yet started?—No, I should not say that there has been an increasing attempt upon the part of the Companies; there has been an increasing attempt on the part of the Charity Commission.(¹)

467. Did not you tell us that the Drapers' Company had largely supplemented the funds under the control of the Charity Commission?—I have no doubt that that is so.

468. Therefore are they not to have some credit?—Certainly; but the schemes are originated for the most part by our Commission, which takes the cases in hand. In the Drapers' case I am not sure how it was, whether we came to them or they came to us.

469. I must ask you whether it was not the fact that the Drapers' Company applied to have a new scheme under the old charity, and under the legacy left by Mr. Deputy Corney?—Yes, I find that in 1870 the Company submitted a draft scheme to the Endowed School Commission, after the Endowed Schools Act was passed.

470. In that case the initiative was taken by the Company?—Yes; there was a special reason for taking the initiative then; under the Endowed Schools Act the governing bodies of endowments above 1,000*l*. a year, I think, had a certain time allowed them to submit draft schemes, and I have very little doubt that that was the reason why it was submitted. Christ's Hospital and others during 1870 were allowed to submit draft schemes, and if they had not submitted draft schemes then the schemes would have had to come from the Endowed Schools Commission.

471. Could you explain more in detail in what way you think a greater power could be given to your Board to consolidate small charities belonging to Companies?—By rendering application unnecessary; by enabling us to act of our own motion, as the Endowed Schools Act of 1874 puts it.

472. You mean by enabling you to draw a scheme irrespective of any application from the trustees of small charities?—Yes, that would be the most complete way of doing it.

473. Did I understand you to say that you thought, looking at the composition of the courts of the Companies, that the properties, either corporate or trust, were managed in a business-like way?—As far as the accounts come before me they certainly are.

474. May I ask from your experience, which extends over a great number of years, whether, as a fact, they have not been so managed that the funds have very largely increased?—Yes, the funds have very largely increased.

475. One of the members of the Commission asked whether you thought that was likely to continue owing to there being so many Watneys and Parkers on the Mercers' Company; is it not the fact that there are Watneys and Parkers of great eminence both in the Mercers' Company and out of it?—I suppose so.

476. May I take it that, generally, you as a member of the Charity Commission find no fault with the way in which the Companies have managed their educational endowments?(²)—I think the administration by the Companies of all their charities has been on rather a lavish scale. I give as the result of my experience that there is more spent in the management of the charities than is desirable or reasonable.

477. Have they not generally subsidised the expenditure out of their corporate funds?—They have.

478. (*Lord Coleridge.*) Can you tell me as to the extent of the bequest of Mr. Corney?—I think it was 30,000*l*.

479. Was it appropriated by Mr. Corney's will to this object?—I have not the particulars here, though it could be easily found out.

480. You do not know to what extent they supplemented it?—The Drapers' Company have offered to give 50,000*l*.

481. To the 30,000*l*.?—To the existing endowment. In 1870 the income was 4,600*l*. a year.

482. Then practically, upon the creation of these hundred scholarships, fifty are to go by examination and fifty by nomination by themselves?—Yes; it has been the result of long negotiation between us and the Company; the Company came with 50,000*l*. in their hands; we should have preferred that they should have had fewer absolute nominations.

483. (*Sir Sydney Waterlow.*) You spoke of the expenses and lavish management by the Companies; is it not a fact that as a rule the Companies pay for the management of their trust property out of their corporate income?—It is not my experience.

484. Take the Drapers' Company, is it not the fact with regard to them that they do so?—I have no personal knowledge of the Drapers' Company charities, but in the Trinity Hospital, Greenwich, the expenditure has been very large out of the trust income.

485. Have you any experience of what is done by the Haberdashers' Company?—No.

486. Nor the Merchant Taylors'?—Yes, I have seen something of the Merchant Taylors' charities, but not much; I cannot speak positively about them.

487. Or the Clothworkers'?—Yes, I have seen something of the Clothworkers', but the case of the Trinity Hospital, Greenwich, is the case that I have chiefly in my mind, because it passed through my hands.

488. As you see a good many of the accounts of the Charity Commission, may I ask you whether it is not the fact that the Clothworkers' Company do not take the 3 per cent. which is allowed by the Chancery Court out of their trust towards the management of their property?—I do not know that.

489. (*Mr. James.*) Has it ever come to your knowledge, as has been sometimes stated, that members of the Court in the management of the Company's property take leases to themselves at low rates and then sublet at high rates; have cases of that kind ever come to your knowledge?—No, I have never heard of a case of that sort.

490. Has it come to your knowledge that pensions are paid to members of the Court or members of the Livery?—No, I am not aware otherwise than that I have seen it so stated in the paper handed to me by the Secretary of the Commission.

491. (*Sir Sydney Waterlow.*) Are you aware that when a member takes a pension he resigns his position as a member of the Company?—I saw that stated in the same paper.

The witness withdrew.

Adjourned to Wednesday next at 4 o'clock.

(¹) *See* Grocers' Statement, p. 267.
(²) *See* the Goldsmiths' Memorial, p. 302.

FOURTH DAY.

Wednesday, 29th March 1882.

PRESENT:

THE RIGHT HONOURABLE THE EARL OF DERBY, CHAIRMAN.

HIS GRACE THE DUKE OF BEDFORD, K.G.
THE RIGHT HON. VISCOUNT SHERBROOKE.
THE RIGHT HON. SIR RICHARD ASSHETON CROSS, G.C.B., M.P.
MR. ALDERMAN COTTON, M.P.
MR. WALTER H. JAMES, M.P.
MR. PELL, M.P.
MR. JOSEPH FIRTH, M.P.
MR. THOMAS BURT, M.P.
MR. H. D. WARR, *Secretary.*

(1) MR. JAMES BEAL examined.

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492. (*Chairman.*) I think we need hardly ask you whether you have taken considerable interest in the subject with which this Commission has to deal?—I have.

493. I believe as a member of the St. James's vestry you moved a resolution some years ago asking for an inquiry into the state of these Companies?—I did.

494. And was a memorial presented in consequence to the Secretary of State?—It was.

495. Have you a copy of it?—I have a copy, which I will read: "The memorial of delegates representing "certain vestries and district boards in the metropolis, respectfully sheweth: That a resolution was "passed at a meeting of the St. James's Vestry held "on the 11th day of July 1878, asking for inquiry "into the condition and management of property "belonging to the metropolitan parishes, the Livery "Companies of London, and other public bodies. "That in pursuance thereof the assembled delegates "represent, that in nearly every parish of the metropolis there are charitable funds, the bequests of past "benefactors, in doles, in kind, in money and estate. "That if the funds referred to were properly applied "your memorialists believe it would result in a large "reduction of the serious local burdens now laid on "the metropolis. That your memorialists also venture to bring before you specially the present condition of the Livery Companies of the City of "London, and to lay before you the reasons why, in "the interests of the ratepayers of the metropolis, "they solicit that an inquiry should be made into the "present state of the said Companies of the City, as "has been already ordered into the parochial charities "of the City of London, in order that if, as they "believe, property and funds belonging to the said "Companies are now misapplied and wrongfully administered, a measure may be framed to direct a "right application of them. That in the fourth year "of His Majesty King William IV. commissioners "were appointed to inquire into the existing state of "the municipal corporations of England and Wales, "in order that Parliament might be enabled to legislate upon the subject early in the ensuing session, "as it had already done in the cases of nearly all other "corporations. That in their report the commissioners "stated that it was necessary to make the institutions "of the City of London the subject of a special supplemental report; and the second report of the "commission, dealing with this question, was not "presented until 1837. For reasons which were not "in any way consequent upon the character of that "report, it was not followed by any legislation. That "the commissioners reported upon the various Livery "Companies of the City as being within the scope of "their commission, but such report is fragmentary "and inadequate, and now of ancient date. The "reason of its imperfect character is stated by the "commissioners in their report to be the refusal of "some of the Companies to furnish the information "required" (*see extract at foot*). "That the City "guilds were established for the purpose of benefiting "the particular trades from which they derive their "names, for guarding against bad workmanship, for "training artisans, and for providing support for "those who were prevented by age from pursuing "their work. They were regulated by royal charter "setting forth these duties, and on condition of their "due performance the Companies were allowed to "purchase lands and to hold them in mortmain. "Membership in the Companies was generally confined to those who practised the particular trade, "and all such in the City and suburbs were compelled "to become members. Large estates and various "sums of money were also left by members to their "guilds, when so composed, to be used for pensioning "decayed tradesmen, or otherwise for the benefit of "the trade. That the Companies ignored the authority of a Royal Commission, and yet it is by a "royal charter only that the Companies are regulated "in their duties and their due performance, and are "allowed to purchase lands and to hold them in mortmain. That your memorialists now beg to call to "your notice that the said Companies, except in a "few instances, have entirely ceased to perform the "objects for which they were constituted, but contrive to enjoy the benefits derived from the royal "charters, grants, and from the bequests given or "left to them when they were such trade organisations. That your memorialists beg further to affirm "that the government and property of these Companies are now kept secret, even from the general "body of members of the Companies, and that vast "estates are held by them upon which no succession "or legacy duty is payable, whereby loss is sustained "by the public revenue. That your memorialists "therefore respectfully solicit that a Royal Commission "with parliamentary powers be appointed to inquire "into the present condition and management of the "property and charities of these guilds, and of the "several parishes of the metropolis, with a view to "consider and determine the proper objects to which "the property of these Companies should in the "present day be applied, and for the better application of charitable funds. Extract: Some of the "Companies of trades, which still exist in great number in connexion with the Corporation of the City "of London, refused to furnish any information to "the Commissioners, and others furnished it only "under exception and restriction. Although, therefore, sufficient information has been given to show "the general and ordinary constitution of these "bodies, the details as to many of the individuals "Companies have not been obtained."* That memorial was presented to the Home Secretary.

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* Page 1, Second Report of Commissioners appointed to inquire into the Municipal Corporations of England and Wales, 1837.

(1) *See* the Grocers', Goldsmiths', Merchant Taylors', and Clothworkers' Memorials or Statements *infra* as to this gentleman's evidence.

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496. (*Sir Richard Cross.*) Was it sent to me?—Yes, and its receipt was simply acknowledged.

497. (*Chairman.*) I believe you also prepared a statement for the delegates appointed by the metropolitan vestries?—I did, and I hand in a copy of it.

498. I think you are also the present chairman of the Metropolitan Municipal Association, and a member of the London Municipal Reform League?—Yes.

499. Will you tell the Commission what is the constitution and the object of those bodies?—Those refer to larger questions than those which are before this Commission. They are for the reform of the local government of the metropolis by the creation of one municipality on a representative basis.

500. You have, I believe, under various signatures written largely in the press on the subject of these guilds?—I have.

501. What are the signatures under which you have written?—(1) "Nemesis" in the "Weekly Despatch" and "Father Jean" in the "Echo."

502. We may take it, I presume, that you have formed an opinion as to the reforms which you consider desirable, and that you are prepared to suggest some plan for carrying into effect those reforms?—I am.

503. Will you state briefly the nature of what you propose?—I can put it briefly, in the shape of a few resolutions, which have been sent to me to present to the Commission from the several clubs of working men in the borough of Chelsea. There are four of those clubs, and they all met in one meeting and passed these resolutions: "That in view of an early " report by the Commissioners on the City Livery " Companies, it is desirable that the working classes " of the metropolis should present to the Commis- " sioners the following suggestions:—That the Guilds " having been established for public and municipal " purposes, that no pretext exists for the contention " that any part of their property is private, and that " the whole should be handed over on the creation " of a municipality for London to that body, for the " benefit of the people of the metropolis and in their " interest, and that they be authorised to realise the " whole of the estates of whatever kind, real or per- " sonal, and to devote the income of the proceeds to " any or all of the following objects. In aid of the " education of the poorer classes, in establishing high " schools, exhibitions at the universities, technical " education, support of public libraries, acquisition " and maintenance of open spaces, pension funds for " decayed artisans and others, extension of hospital " accommodation and the training of nurses, in aid " of provident institutions, and the promotion of the " physical welfare of the people, and other known " objects of public utility. That it is desirable a short " Act should be passed preventing any company dealing " with their property until its future destination " is settled, except with the consent of the Secretary " of State for the time being, and that they be pro- " hibited from adding to the number of Liverymen " by purchase or creating any fresh offices, entitling " the possessor to a retiring allowance." The others have come to me in another form through the Liberation Society, and as they are in print I had better hand them in. They refer to the ecclesiastical endowments in the metropolis, and contain the resolutions passed at a conference at the Westminster Palace Hotel, held last week.

504. (*Mr. Alderman Cotton.*) What is the Liberation Society working for?—They first deal with the objects that I have referred to, but they refer, mainly, to that which the Church may claim for Church purposes.

505. Is it mainly directed against the Church?—I would not say it was directed mainly against the Church, but against the devolution of property to the Church where they think it is rich enough.

506. (*Mr. Firth.*) Will you read that?—That, "In " the opinion of the Conference, such an appropria- " tion is uncalled for and would be unjust—(1) It " is uncalled for because the intentions of the foun- " ders have been already so for departed from, and " are now so incapable of fulfilment that they impose " no obligation in regard to a new disposition of their " gifts, which should now be regarded as being at " the absolute disposal of the State. It would be " unjust because any application of public money for " sectarian objects must, of necessity, benefit only a " section of the population; whereas no such injus- " tice would be involved in the appropriation of the " whole of the funds to the purposes to which it is " proposed that the general charity funds shall be " applied."

507. (*Chairman.*) In the first place, what are these Chelsea Clubs, the combined committee of which passed those resolutions?—They are political clubs formed by working men in the several divisions of the borough of Chelsea. There is one in the King's Road, called the "Eleusis Club;" there is another at Hammersmith, called the "Hammersmith Club;" there is another at Notting-hill called the "Progressive Club;" and another at Kensal Town called the "Cobden Club." Those clubs are composed of a number of working men in each place.

508. I only put the question to you because I observe in the first paragraph they say that: "It is " desirable that the working classes of the metropolis " should present to the Commissioners the following " suggestions." Now, if I rightly understand you, though it may be quite possible that those clubs do represent the general opinion of the working classes; as a matter of fact they only represent some few hundreds of persons in their borough?—So far as that is concerned, that is so; but they are federated as one club throughout the metropolis, and a copy of that has been sent to each, and you will, no doubt, receive the same resolutions from each.

509. Have you any evidence that the opinions expressed in these resolutions are also those of the working classes generally, or of any large portion of them?—I must give a personal answer. I have lectured at all their clubs throughout the metropolis for years past, and in every case they universally assent to the ideas there expressed; we have never had an amendment upon this question, or upon the London Government question carried.

510. (*Mr. Firth.*) Has there not been a federation of all the working men's clubs throughout London?—Yes, there has.

511. (*Sir Richard Cross.*) As I understand you, these are political clubs?—They are.

512. And they are all upon one side?—Yes.

513. (*Mr. Alderman Cotton.*) Are you able to give us the number of members of any one of these clubs?—The "Eleusis" is 1,000 strong.

514. What is the smallest number of any one of the clubs?—The Hammersmith Club has 460 members; that is the smallest, I think. They are composed of the most intelligent working men of the district in all cases.

515. (*Chairman.*) In these resolutions it is proposed that on the creation of a municipality for London, the whole of the funds of the guilds should be handed over to that body for the benefit of the people of the metropolis; is it meant by that that the property should be handed over to the absolute discretion of the new municipal body, or that it should be handed over for certain purposes limited and defined by Parliament?—Of which those persons will form a part.

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(1) A collection of the letters signed Nemesis in the "Weekly Despatch" was placed at the disposal of the Commission by Mr. Firth, and was examined with the authorities in the office of the Commission. The writer appeared to be acquainted with (1) Mr. Firth's work "Municipal London, (2) with Herbert on the Companies, and (3) with the Return of the Companies' charities presented to Parliament on the motion of Lord R. Montagu in 1868, but he had evidently not consulted the reports of the Charity Commissioners, nor the wills of the benefactors of the Companies.

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516. Limited and defined by Parliament?—Certainly.

517. That is to say, you propose that not the new municipal board, but that Parliament should direct the application of these funds?—If it followed the precedent of the Act of 1835, it would of necessity become the inheritor of the estates; but as it is a totally different constitution to that of any other municipality in the kingdom, if those properties were included, then Parliament must secure the future devolution of the income.

518. One of the objects is defined to be the education of the poorer classes, that is at present provided for by the rates is it not?—Yes, and it was that which was the basis of my demand for a fresh inquiry. I felt that the burden was very great upon the ratepayers; there was a strong opposition to the Act constituting the school board, by the rich, by the clergy, and by the middle classes; and I therefore looked round, taking a great interest in education, to see if there were not funds which might be used in the reduction of the school board rate; and to a certain extent I should claim that part of these funds should be used for that purpose.

519. Then when you say it should be used in aid of the education of the poorer classes, you only mean that inasmuch as the education of the poorer classes is already provided for, it should be applied in relief of the rates at present incurred for educational purposes?—I push it further than that: that the rich or middle class have taken from the poor great educational endowments in London, for which they should make compensation or restitution. I mean endowments like those of Christ's Hospital, the Charter House, and St. Paul's School. Those were absolute endowments in the interests of the very poorest class, and those endowments have gone from them; and I think that if the income of those charities were handed over every year to the London School Board it would relieve us from the contention which arises as to the cost of the administration of that body, which I am most anxious to see.

520. Then your other objects are, "establishing "high schools, exhibitions at the universities, tech-"nical education, support of public libraries, acquisi-"tion and maintenance of open spaces, pension funds "for decayed artizans and others." Do you mean that funds should be provided to pension off artizans in all trades throughout London?—The right use of one portion of the funds of these Companies is to pension the decayed members, and I think that by a proper appropriation of a certain portion of the income that object could be carried out for the trade specially known in connexion with the different guilds; I do not go beyond that.

521. You mean that the funds of each guild should be in part applied to provide for decayed members of the trade connected with it?—Yes, that was their original purpose.

522. Would you apply that to London only, or extend it to the country generally?—I would take the metropolis, not the city of London simply. The charters of the Companies extend from to three to 10 miles round, and one goes as far as 24 miles.

523. Then you propose an extension of hospital accommodation, and the training of nurses; does that mean that hospital accommodation should be gratuitously provided out of the public funds?—The hospital accommodation of London at the present time is most defective; it is chiefly limited within a mile and a half of Charing Cross; it is largely confined to St. Bartholomew's and St. Thomas's, and one or two others. I should go further and say that I think the day has gone by when hospital accommodation in London should be dependent upon private subscriptions, and that it should be done by a rate; it should be done by alliance and association with the poor law in some form or other. But as we have these large funds it would be another means of reducing the rates if the hospitals were to be supported from the rates, and a portion of the funds were used for that purpose.

524. Then that proposal of yours presupposes the adoption of another plan, which has not yet been adopted, namely, the maintenance of hospitals out of local rates?—If it were not adopted I should still press this as a proper use of a portion of these funds. For instance, if a man be hurt at Highgate he has to be brought to Gray's Inn Lane, or if he be hurt at the Crystal Palace he has to be brought up to Westminster Bridge. We want a reconstruction of our hospital arrangements, and I propose that a portion of the funds should be devoted to the extension of hospitals or to the erection of other hospitals which should be taken over hereafter by the new municipality.

525. Then there is a further proposition, that part of these funds should be applied in aid of provident institutions; will you explain what kind of provident institutions you mean, and how you think these funds could be applied in assisting them?—The Peabody Trustees have the advantage of borrowing a large sum of money at a low rate of interest for the extension of their very munificent work; and I think, when well established provident institutions for the working classes required assistance of that kind, and could give adequate security, it would be an advantage to them to be able to get a loan at a low rate of interest, the money to be used in sustaining a pension fund, and as a guarantee fund; that is one instance.

526. The lending of money upon good security at a low rate of interest, I understand to be your object?—Yes, precisely as in the case of the Peabody Trust.

527. I presume you would not include lending upon mere personal security?—No.

528. Is it found where good security can be given, that there is much difficulty in borrowing money at present?—No, I am not assuming that. They have not had the advantage offered to them in any form at present. They simply work upon their own arrangement of a Pension Fund, and the reports of Friendly Societies show that these things want a much better basis than they have.

529. What do you mean by "the promotion of the "physical welfare of the people." Does that apply to improved dwellings?—Yes, and to recreation grounds, to gymnasia, and baths, and modern requirements of that character.

530. Do you not think that the very large programme which you have sketched out would considerably more than exhaust the funds of the Companies?—I think not. I see by the Report that they admit an income of 700,000*l.* a year, but my own impression is that it is considerably over a million.

531. With regard to your second resolution, that is merely intended to prevent any diversion of the funds until Parliament has time to deal with them?—Yes, that is all.

532. I understand that this plan is entirely dependent upon the success of the scheme which we understand is shortly to be brought before Parliament for creating a great municipality for all London?—I would not say that; but I would suggest that the money should be handed over to a body of commissioners like the Ecclesiastical Commissioners, with power to lay it out upon those lines.

533. Your idea is that the funds should, in the first place, be thrown into one mass; that I understand to be your object?—Yes.

534. That the total capital should be vested in such a municipality, if it exists, or in commissioners, if the municipality does not exist, and should be applied to the purposes which you have described according to the directions contained in an Act of Parliament to be passed for the purpose?—That is strictly accurate.

535. Would you propose that the special proportions to be applied to each purpose should be defined beforehand?—No; I should leave that to either the municipality or the commissioners to decide upon evidence which they would hear.

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536. You have seen, I think, a report which has been presented to this Commission, a volume marked "confidential," it is the return made by the Companies to the circulars which we sent out last year?—I have.

537. We should be glad to hear any observations which you may have to offer upon that volume?(1)—My difficulty about it is a mere question of sight. I am not able to read at night time, and I have had to have it read to me. What I want to explain is this. The Return of Keble's Charity is 9*l.* 2*s.* per annum; I turn from that to Herbert's "Twelve Great Companies" for his evidence of Keble's Trust, and I find that includes a mansion in Old Jewry, and houses behind in Grocers' Hall Court; the site of Grocers' Hall itself was part of Princes Street behind, and part of the present Bank of England. I put that modestly at 25,000*l.* a year, and it is returned at 9*l.* 2*s.* One of those houses is let at a ground rent of 3,360*l.* a year. I put it therefore that unless we get a disclosure of the absolute income, house by house, of the property held by these guilds, we have not that full disclosure to which we are entitled.

538. Do I understand you to mean that you consider that the guilds have not included the value of the houses in the returns which they have made?—That return to which I have referred of Lord Robert Montagu's gives the income which existed at the time, two or three centuries ago, but I want the present income, the present profits and rents of the property which I claim must follow the original devolution. I contend that the whole of this property must be corporate, and, therefore, public; and that the trust property is separate from it, and that whatever increase of property there is, flows into the corporate and becomes, as I think, the property of the people of the metropolis.

539. In other words, for your purposes, and starting from your point of view, you do not admit that there is any difference between the trust funds of the Company and the property which they have dealt with as their corporate fund?—No, I do not.

540. You consider that they are all equally applicable to such purposes as Parliament or the municipality think fit?—Yes, and follows clause 92 of the Municipal Corporations Act, 1835, which enacts:—"That after the election of the treasurer in any "borough the rents and profits of all hereditaments "and the interest, dividend, and annual proceeds of "all monies, dues, chattels, and valuable securities "belonging or payable to any body corporate named "in conjunction with the said borough in the said "schedules (A.) and (B.), or to any member or "officer thereof in his corporate capacity, and every "fine or penalty for any offence against this Act, "(the application of which has not been already "provided for), shall be paid to the treasurer of such "borough, and all the monies which he shall so receive shall be carried by him to the account of a "fund to be called 'the borough fund,' and such fund "subject to the payment of any lawful debt due from "such body corporate to any person which shall have "been contracted before the passing of this Act, and "unredeemed, or of so much thereof as the council of "such borough from time to time shall be required, "or shall deem it expedient to redeem, and to the "payment from time to time of the interest of so "much thereof as shall remain unredeemed, and "saving all rights, interests, claims, or demands of all "persons or bodies corporate in or upon the real or "personal estate of any body corporate by virtue of "any proceeding either at law or in equity which "have been already instituted, or which may be hereafter instituted, or by virtue of any mortgage or "otherwise shall be applied towards the payment of "the salary of the mayor, and of the recorder and "of the police magistrate herein-after mentioned when "there is a recorder or police magistrate, and of the "respective salaries of the town clerk and treasurer, "and of every other officer whom the council shall "appoint, and also towards the payment of the expenses incurred from time to time in preparing and "printing burgess lists, ward lists, and notices, and "in other matters attending such elections as are "herein mentioned, and in boroughs which shall have "a separate court of sessions of the peace as is herein-after provided towards the expenses of the prosecution, maintenance, and punishment of offenders, "and towards such other sum to be paid by such "borough to the treasurer of such county as is "herein-after provided, and towards the expense of "maintaining the borough gaol, house of correction, "and corporate buildings, and towards the payment "of the constables, and of all other expenses not "herein otherwise provided for, which shall be necessarily incurred in carrying into effect the provisions "of this Act; and in case the borough fund shall be "more than sufficient for the purposes aforesaid the "surplus thereof shall be applied under the direction "of the council, for the public benefit of the inhabitants "and improvement of the borough, provided that it "shall not be lawful for the council to be elected under "the provisions of this Act in any borough in which "the body corporate named in conjunction with the "said borough in the said schedules A. and B. before "the time of the passing of this Act shall have contracted any lawful debt chargeable on any tolls or "dues belonging or payable to the said body corporate, "or to any member or officer thereof in his corporate "capacity, or towards the satisfaction whereof such "tolls or dues, or any part thereof, were applicable "before the passing of this Act, to alter or reduce "the amount to be levied and payable of such tolls "or dues, or to grant for any consideration any remission of, or exemption from, such tolls or dues or "any part thereof, unless with the consent in writing "under the hands of a majority in number and amount "of the creditors to whom such debt is due, until "after such debt and all arrears of interest due thereon shall have been fully paid and satisfied; and in "case the borough fund shall not be sufficient for the "purposes aforesaid the council of the borough is "hereby authorised and required from time to time "to estimate, as correctly as may be, what amount in "addition to such fund will be sufficient for the payment of the expenses to be incurred in carrying "into effect the provisions of this Act, and in order "to raise the amount so estimated the said council is "hereby authorised and required from time to time "to order a borough rate in the nature of a county "rate to be made within their borough, and for that "purpose the council of such borough shall have "within their borough all the powers which any "justices of the peace assembled at their general or "quarter sessions in any county in England have "within the limits of their commission by virtue of "an Act made in the fifty-fifth year of his late Majesty King George the Third, intituled an Act to "amend an Act of his late Majesty King George the "Second for the more easy assessing, collecting, and "levying of county rates, or as near thereto as the "nature of the case will admit, except as is herein-after excepted, and all warrants required by the "said Act to be issued under the hands and seals of "two or more justices, shall in like case be signed by "the mayor and sealed with the seal of the borough; "provided that such council shall not be empowered "to receive, hear, or determine any appeal against "any such rate; and if any person shall think himself aggrieved by any such rate it shall be lawful "for him to appeal to the recorder herein-after mentioned at the next quarter sessions for the borough in "which such rate has been made, or in case there "shall be no recorder within such borough to the "justices at the next court of quarter sessions for the "county within which such borough is situate, or "whereunto it is adjacent; and such recorder or "justices respectively shall have power to hear and "determine the same and to award relief in the pre-

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(1) *See* the Grocers' Statement, p.269.

“ mises as in the case of an appeal against any county rate, and all such sums levied in pursuance of such borough rate shall be paid over to the account of the borough fund and subject to the provisions herein-before contained shall be applied to all purposes to which before the passing of this Act a borough rate or county rate was by law applicable in such borough or county. Provided that in every case in which before the passing of this Act any rate might be levied in any borough, or in any parish or place made part of any borough under the provisions of this Act for the purpose of watching solely by day or by night, or for the purpose of watching by day or by night conjointly with any other purpose, it shall be lawful for the council of such borough to levy a watch rate sufficient to raise any sum not greater than the average yearly sum which during the last seven years, or where such rate shall not have been levied during seven years then during such less number of years as such rate shall have been levied, shall have been expended in the maintenance and establishment of watchmen, constables, patrol or policemen within the district in which such rate was levied, and for that purpose the council shall have all the powers herein-before given to the council in the matter of the borough rate; and where any part of any borough shall not at the time of the passing of this Act be within the provisions of the Act authorizing the levy of such rate for watching as aforesaid it shall be lawful for the council from time to time to order that such part or so much thereof as to the council shall seem fit shall be rated to the watch rate in like manner as other parts of the borough to be specified in such order and such watch rate thereupon shall be levied within the part mentioned in such order in like manner as in the other parts of the borough so specified and all such sums levied in pursuance of such watch rate shall be paid over to the account of the borough fund. Provided always, that no such order as last aforesaid shall be made for such watch rate any part of any borough in which at the time of passing this Act such rate as aforesaid shall not be levied and which is more than 200 yards distant from any street or continuous line of houses which shall be regularly watched within the borough under the provisions of this Act. Provided also, that nothing in this Act contained shall be construed to render liable to the payment of any debt contracted before the passing of this Act by any body corporate any part of the real or personal estate of the said body corporate which before the passing of this Act was not liable thereto, or to authorise the levy of any rate within any part of any borough for the purpose of paying any debt contracted before the passing of this Act which before the passing of this Act could not lawfully be levied therein towards the payment of the same.”

541. (*Mr. Pell.*) Would you tell us what constitutes the membership of those clubs which have drawn up the resolutions which you have presented to the Commission ?—Certain monthly subscriptions.

542. What are the qualifications for admission to the club ?—Agreement with the programme of the club.

543. Did I rightly understand you to say they were working men's clubs ?—Yes.

544. Are you a member of any of them ?—No, I lecture at them.

545. How far does that qualification extend ?—It is confined to the artizan class. Painters, decorators, plumbers, carpenters, bricklayers, and so on.

546. When have the working men had any chance of advice from the outside in drawing up the proposals which you have submitted to the Commission ?—If you had the pleasure of meeting them, you would know that they require no such assistance; they are most remarkably intelligent men, and they read a great deal. They have good libraries, they have discussions, and they are thoroughly familiar with the whole scope of this question; and amongst them are men who have had before them the same material from which to derive knowledge, that you might have had access to, or that I might have had access to; I believe they have all read the letters of mine to which I have referred, and that has been the basis of their education.

547. I see that they advocate hospital accommodation to be given, out of these funds ?—Yes.

548. Are they satisfied that free admission to hospital would really be of advantage to the class generally ?—I think not; they are the people who largely work the Saturday Hospital Fund, with the view of contributing as large a fund as they can, for the support of the hospitals; that fund is collected in all their workshops.

549. It still appears from what you say, that they have so little confidence in being able to keep the hospitals self supporting, that they have suggested that the funds of those institutions should be supplemented by the rates; and also by a contribution from the endowments of the Guilds ?—I think it is a disgrace that our hospitals should be supported by charity. I think it should be part of the work of the municipality; but until that is created, this money should be used in aid or extension of the existing hopsitals, or in the erection of new hospitals.

550. Then I gather that the view of these societies, is adverse to co-operation amongst the working people, to supply them with needful medical advice ?—No; if it were put to them that dispensaries should be established to which they should contribute so much a week, no doubt they would be very pleased to subscribe.

551. Would not the effect of such an institution as is contemplated in those papers which you have read to us, running side by side with a self-supporting institution, be to utterly destroy it ?—No, I am afraid that I have not made what I wish to convey quite clear. If the municipality be established, then I think these funds would be part of the general wealth of London held by that municipality; but if the municipality be not established, then I want these funds used for the erection of hospitals for the requisite accommodation of London which is now most insufficient. There is no arrangement by which the hospital at Charing Cross, or any other hospital, can place themselves in alliance with the poor law dispensaries; you want to see where the poor law dispensaries and poor law unions are, and erect your hospitals in connexion with them and as part of a complete scheme.

552. Am I correct in saying that these proposals contain a suggestion that provision should be made for the sick and injured of the poor, out of the rates, supplemented by endowments from the guilds ?—Yes, you can force it to that point.

553. Would that not be a very great injury to the cause of independence and thrift ?—No, I think these funds should be used largely for that purpose.

554. I think you stated, that in your mind, the disposable income of these guilds was something like 1,000,000*l.* a year ?—Yes.

555. And you stated to the president the different objects over which you think it might be distributed; do you still think that the distribution of 1,000,000*l.* a year; a portion among hospitals for the poor alone (the qualification being poverty, not disease), and a portion among provident institutions, would not be, in the end, a source of very great moral harm to the people ?—No, it is their property, and I simply ask that it should be given back to them; for instance, if they had Christ's Hospital to-day, instead of another class, they are entitled to it, it is theirs, or if they had the Charterhouse, it is theirs, or if they had St. Paul's School, it is theirs, and I want to know why the rich should take possession of it, and the poor be dispossessed.

556. Then your argument amounts to this, that it should be given back to them, because it once belonged

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to them, irrespective of the question whether it would do them harm or do them good?—Ruskin said: "Know ye, that the poor have no right to the property "of the rich." I reverse it, and say, "Know ye that "the rich have no right to the property of the "poor."

557. (*Mr. Firth.*) In the answer you gave just now you said you would go much further than the subject in the hands of the present Commission, but that, in your judgment, the property should be given back to the poor—do you mean to pay it in some form to the poor, not necessarily in the same form?—Yes; the subject to which referred just now. Christ's Hospital should entirely change, and instead of being a school for the middle classes, it should be a school for perhaps 14,000 or 15,000 poor boys.

558. Christ's Hospital is not in any way connected with the Livery Companies, except that it is receiving doles and payments from most of the Companies, as part of its revenue?—That is so.

559. As regards the payments of that class, specific in amount, do I understand you to contend that all the present surplus should be applicable to the purposes *ejusdem generis*?—Yes, and of public utility, such as parks and open spaces for all classes.

560. Have you been able to read these five volumes of Returns from the Companies?—I have not seen them all; I have only seen one.

561. If you were enabled to see them, do you think you would be able to point out, in many cases, deficiencies, if such exist?—No doubt I could largely check the information given as to the property, by name or number, of the street which the Company has given, because I took considerable pains in having the rate books of the city looked up, and I found that the property which belonged to them was rated to an extent of over 500,000*l.* a year.

562. 516,000*l.* a year?—504,000*l.* a year. I had special inquiry made, and found that Bradbury's Charity, returning 30*s.* in Lord Robert Montagu's Return, produced 27,765*l.* a year, according to the rate book.

563. Under whose control was the charity you speak of?—The Mercers' Company. That is a very remarkable case; it originally produced 30*s.* a year, and was 109 acres. It began at Mercers' Street, Long Acre, and went right down Long Acre, and passed Coventry Street into Bond Street, and right away up Bond Street, and included Conduit Street to Stratford Place. 100½ acres of that is lost or gone, and is the property of a city corporation, and is known as the Conduit Mead Estate, and there are 8½ acres left in St. Martin's parish; this now on the rate books represents 27,765*l.* a year.

564. With respect to that estate, you say part is lost; have you any opinion as to the course which might be usefully taken to prevent such losses in future?—I have only suggested by this resolution that no property should be dealt with, except with the consent of the Secretary of State, or of the Treasury; or if it be handed over to the new municipality, it should follow the provisions of the Act of 1835, clauses 92 and 94, which are very important clauses.

565. Are you in favour, or not, of the property being vested, so far as the charity went, in the hands of official trustees?—I am in favour of the land being sold. I do not think land should remain longer in mortmain in England; it is a loss to the Treasury, and is an injustice to the mass of the public.

566. You have had great experience in dealing with land in London, have you not?—Yes.

567. Speaking from your experience and your standing on this question, will you tell the Commission what, in your judgment, is the prejudicial effect of land being held in mortmain; does it affect its commercial value?—First, as a question of revenue, I strongly object to land being held in mortmain, as entailing loss to the revenue by the loss of succession duty. Where it is charitable property, and property held in mortmain, the property tax is returned by the Inland Revenue, it would otherwise pay. In order to make a statement, I have asked and it has been granted in Parliament, for a return of all property held in mortmain, and of the official statistics of the revenue calculated by somebody in the public offices duly qualified to calculate it; it is a very large sum.

568. Is that all that you have to say as to its effect upon the revenue?—Yes, then I take the bolder ground of free trade in land—I want that land in the market.

569. Upon the question of revenue, supposing the present tenure, by the corporations, of this land is continued, is there any way that would suggest itself to you for dealing with the question of succession duty?—Yes, it should be treated as dead every 30 years or every 35 years. I believe the lease of life used to be calculated at 30 years, and now it is calculated at 35 years; every 35 years the duty should be charged upon it, as if the owner were dead; but I prefer the dead hand being taken off altogether.

570. Have you made any estimate of what amount that would produce to the revenue, upon the present property of the Companies?—Not a reliable estimate.

571. Now will you tell me the effect upon land, treated as a commercial article, free trade in land?—My wish and desire has been that we should have free trade in land, or in other words that every restriction should be taken away from its coming into the open market. I think having vast quantities of property like this locked up is very injurious to the value of property generally.

572. Did I rightly understand you to say that the effect of your examination of the City Companies' rate accounts was to show that 504,000*l.* a year was the estimated rateable value of the realty held by these Companies in the City?—The city land held by them, to say nothing of the still larger estates held by them in every county in the kingdom.

573. That amount was in the City alone?—Yes.

574. From property held in mortmain?—Yes.

575. Have you formed any estimate apart from the Irish estates of the property held by them in mortmain outside the City of London?—It was to get at that that I suggested that they should give us a return of all the property they held, and the bequests generally, lands, manors, benefices, estates, some thousands of acres, and so on; I wanted all earmarked.

576. (*Mr. James.*) Is that return ordered in the House of Commons?—Yes, and they are very hard at work upon it.

577. (*Mr. Firth.*) Is it being prepared by the Inland Revenue Office?—Yes; it would be as instructive a return as the Domesday book, and more accurate.

578. I notice that upon this point you said that you estimated the income of the Companies not at the amount at which it was returned, which was 700,000*l.* a year, but at 1,000,000*l.* a year; what was the ground of your statement?—I can only use the information placed at my disposal by public documents. With regard to the two cases which I just now mentioned, the one at the Old Jewry at 9*l.* 2*s.* which now must be worth at least 25,000*l.* a year, and the other at 30*s.*, which I know is worth 27,000*l.* a year, I went carefully through Herbert's "Twelve Great Companies," and Lord Robert Montagu's return, taking Company by Company, and wherever I could get the exact information, say a house, No. 15 or 16, Friday Street, or a house in Plough Court or Lombard Street, I took the return with the income, and found what it was to let or leased for, and I found that they represented a vast total. If I applied the same process of reasoning to the country estates, taking half what I put upon the London estates, it would come to a much larger sum. If you multiply a few cases in the same way, 9*l.* 2*s.* now being worth 25,000*l.*, and 30*s.* now being worth 27,000*l.* your

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figures at once roll into volumes. Here I have stated a number of them, making a total of 700,000 which they call income.

579. You have not seen these reports, and therefore you cannot give an exact judgment upon their effect, but you will probably find that in the last one in some of the cases that you are quoting the total net receipts are returned in one form or other, that is to say the Grocers' Company are in the companies' return, they give their net rental on the land in Old Jewry?—Yes, but what do they return for their hall?

580. You have stated that if you were put in possession of the returns, you could point out their defects, are you willing to do that if you have them?—Yes, I will do it with pleasure.

581. Now with respect to the question of the halls, did you ascertain how much they were rated at in the City, is the 57,560*l.* a year taken from the City rate book?—Yes. Take the Goldsmiths', their hall is rated at 5,500*l.* If anybody know the building they will know that it is a magnificent palace; it would readily let at say 9,000*l.* to 10,000*l.* a year.

582. The Drapers' is rated at 8,000*l.* is it not?—That is more than the Goldsmiths', but it is not enough, it has a magnificent interior, and they have a frontage of great length.

583. (*Sir Richard Cross.*) Would they let as halls for that sum?—No. I would sell them for public purposes. They can have their dinner at the Cannon Street Hotel; they do not want the hall to dine in, but if they did, one hall would do for all of them. In the Drapers' Hall they have let off their gardens, and therefore I should say, taken in connexion with other buildings near, they would certainly be worth 12,000*l.* a year at least.

584. (*Mr. Firth.*) I see you have the rateable value as you took it out of the rate books, up to 57,560*l.*; have you formed an estimate of what the real annual value would be?—As a minimum up to 150,000*l.* a year. I went to look at all their great halls. I suppose the staircase of the Goldsmiths' Hall cost 30,000*l.* to put up, and I should think the Drapers' Company spent 80,000*l.* in decorations and alterations in the last few years.

585. What purposes, so far as you have ascertained, do these halls serve?—They are their offices, the courts in which they hold their banquets; but they serve no municipal purpose. That is performed at Guildhall, and when an election is on you see the names of the Companies in a horse-shoe shape, and the liverymen are recognised by their beadle. The business done at the hall is not municipal business. They manage their property at their halls, but for municipal purposes the halls are not wanted in any way.

586. Supposing you take the Drapers' Hall and the property connected with it, is there, so far as you know, any reason why all the Companies should not transact all their business in that single hall?—Supposing that they are to continue in possession of all the property, and to have the administration of it, that one hall, judiciously used, would meet the entire question of the banqueting, the most important of all, and that of the offices in connexion with their rents. I may illustrate this by the fact that Messrs. Clutton collect four or five times this amount of rental in one or two sets of buildings in Whitehall; the London and Westminster Bank carries on vast operations in a building which, compared with the halls of these Companies, is an entrance hall.

587. Would you say that the Fishmongers' Hall was properly rated at 3,500*l.* a year, according to your estimate of property?—No.

588. What should you say was an adequate amount?—6,500*l.* a year. Then the only duty there performed, apart from the banqueting and renting, is that they have two inspectors who look after the fish at Billingsgate. We could do that by appointing two officers of the City of London.

589. Who makes the assessment of these halls?—It is done under the Poor Rate Assessment Act. No doubt it is done by the Poor Rate Assessment Committee; that is under Goschen's Act.

590. You do not know who constitutes the authority?—No.

591. Supposing that their administration was concentrated in this way, what would you suggest might usefully or legally be done with the remainder of their property in these halls?—The whole of them, I think, should be sold. We do not want them; they have long ceased to be of any public utility at all.

592. What would you consider to be the sum that they would be likely to realise if sold; have you formed an estimate of it?—Yes. I should think the saleable value in the market would be something between 3,000,000*l.* and 4,000,000*l.* sterling.

593. (*Mr. Pell.*) How many years' purchase would that be on the rental?—If we put it all into the market at once we might depreciate it, but the City is selling to-day ground rents for 27 years' purchase; but in fixing that value I rely upon many other things. We might want to widen the street if they were coming down, and the public would be benefited by that. We should not get the value in money, but we should have it in the improvement.

594. (*Mr. Firth.*) Twenty-seven years' purchase on 150,000*l.* a year would be about 4,000,000*l.*?—You might not get the full value. When a lot of benefices were put into the market, benefices fell, as in the case of the Lord Chancellor's livings.

595. You said just now that the municipal functions of the Companies were discharged in the Guildhall; have you inquired into the discharge of the municipal functions by the Companies at all?—No, only what I have seen. I have seen a common hall, and I have watched the barrier put round with the name of each of the Companies, and the beadle watching each member as he went in, and that was the only municipal function which I have seen performed.

596. You have drawn attention to the fact that the Municipal Commission of 1833 considered these Companies within the province of their Commission?—(1) Yes.

597. And that was upon the ground that they had municipal functions to discharge?—Yes, but the same was done with Bristol, Nottingham, and Leeds in the 1833 inquiry, and was not disputed; and the reform which came by the Act of 1835 affected the whole of those bodies.

598. Are you aware that at the present time they elect the Lord Mayor, the Bridgemaster, and a number of other City officials?—Yes; I have seen the election of chamberlain in the same way.

599. The office of chamberlain is worth 2,500*l.* a year?—It is an office of great responsibility and great dignity.

600. And that election is conducted, is it not, by the liverymen of the City guilds?—Yes. If you press me whether other citizens have the franchise as well as the liverymen, I could not say, but they have it, I know.

601. Have you considered the way in which the liveries of the City guilds are constituted?—I have called attention to the modern extension of a number of these guilds, and I have undertaken this labour, the result of which I will show to his Lordship. I have gone through each of the Companies on the city voting list, and marked where the same name occurs more than once, and at the end I have put in pencil how often it occurs, twice, three times, four times, and so on; and it occurs 29 and 30 times in some, and they become very happy little family parties.

602. I understand you to say that the effect of your examination of the list of members is to show that the same families are largely represented in some cases on particular companies?—That is one observation I have to make, the other is that some of these Companies of late

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(1) *See* the Grocers' Statement, p 273.

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years have added largely to their numbers, by the admission of members who have paid, and this amongst those which were before, the smallest Companies.

603. Will you give us some illustration of that?—The Loriners' Company is one, and the Spectacle Makers' another, those are administered at Guildhall.

604. And also the Needle Makers' Company?—Yes, by a clerk in the chamberlain's office.

605. Which Companies do you allude to as being administered at Guildhall?—The Spectacle Makers', the Loriners', and the Fan Makers'.

606. (*Mr. James.*) Have you that return?—You moved for a return which was given you, with the then number of members of the Spectacle Makers' and Loriners' Companies. If you moved for a continuation you would see how the manufacture of voters is going on in the City; of men who have bought the franchise, but have no other qualification.

607. (*Mr. Firth.*) Are the men who so purchased their rights to parliamentary and municipal votes, in any case connected with the business of the Company to which they go, or connected by patrimony with any member of it?—No, they need not even live in the City, they may live 25 miles out; they buy this franchise and come and vote.

608. And that has been largely done, I believe?—It has been largely done. The attention of the court was brought to it some years ago by Mr. Alderman Lusk.

609. As to the Spectacle Makers', Loriners', and Fan Makers' Companies, which you say are administered at Guildhall, by whom are they managed?—By Mr. Sewell, the clerk of the Chamberlain.

610. He is a clerk in the Chamberlain's office, in the City, with a salary of 400*l.* a year, is he not?—I do not know his salary.

611. Does he, in the same office, manage these three Companies?—Within Guildhall; they give an address and an official almanack, at Guidhall.

612. Do you know anything with respect to the management of any other of the Livery Companies which you wish to state to the Commission now?—I have set out so much in the letters, that I thought if any gentleman specially representing the City had read them and cross-examined me upon them it would be preferable to my repeating what I have so frequently put in print.

613. Have you endeavoured to ascertain the manner in which the Companies are controlled, and how their funds are expended?—Yes, I have. I wrote to Mr. E. J. Watherston, a member of the Goldsmiths' Company, he is a silversmith at the west end, and his father has been a member of the Court for 33 years; and he wrote me a long letter in reply, in which he says: "In reply to your question I have no hesitation in saying that, in my opinion, the connexion of the Goldsmiths' Company under prevailing conditions, with the trades in the precious metals, is one of unqualified disadvantage to the respective crafts. Fortunately, as far as respects jewellery (gold and silver) their powers are too limited to do much harm; and, as a consequence, the trades flourish, because, to a great extent, they are let alone; but where their power is great, as in the case of watches, and more especially as respects silver and gold plate, the result of their action is most disastrous. In the first place, I object altogether to any laws in restraint of trade, other than those which may be necessary for the health or safety of the people. Secondly, I object to any self elected body of men having powers over a given craft. The powers now in the hands of the Goldsmiths' Company, are a relic of bye-gone days when the Government exercised a paternal control over every industry, regulating modes of production, and pestering manufacturers with rules and regulations, with what effect we all know. We need only refer to glass, soap, paper, and bricks to show the folly of such a system. Such interference had always its inevitable effect, that of stopping all improvements. It is laughable now to read how the soap trade was almost regulated out of existence; and still more laughable are the facts relating to the glass and brick trades! Of course the *raison d'être* of all these regulations was protection. It is the same as respects silver-plate. The laws under which silver (and gold) plate is manufactured in this country were originally framed upon protection principles, and they are sought to be maintained and even extended now upon the same principles, and the good old Tory Goldsmiths' Company oppose the slightest attempt at reform. When I say the Goldsmiths' Company, I ought to say the clerk of the Goldsmiths' Company, inasmuch as the Company, *i.e.*, the governing body, the Court, as a rule, know nothing of the craft and its requirements. The Company are in the possession of certain ancient laws, and by their officers exercise certain functions. Reform to those officers means revolution. It is not wonderful, therefore, that they should oppose reform. It is true that there are some goldsmiths and silversmiths on the Court; but who are they? one, the senior member, is my father—a thorough reformer—who has had to pay for his reforming opinions by being kept out of the chair of the Company. He was passed over and not allowed to be a warden. No. 2 is Mr. F. B. Thomas, of Bond Street, a dealer in, and therefore a worshipper of, hall-marked plate; a very unlikely man to want reform. No. 3 is Mr. Smith, of King Street, a thorough protectionist manufacturer. No. 4 is Mr. Lambert, of Coventry Street, also a dealer in second-hand plate. These three gentlemen represent the entire trades of gold and silver, and watch case makers in the United Kingdom, inasmuch as my father has long since ceased to interfere. I think this alone shows a case for reform. All the rest of the members of the Court are wholly unconnected with the crafts as far as the laws relating to hall marking are concerned. One is an assayer, and another is a bullion broker, but of really craft-members there are but four. For many years there were but two. However, be there four or forty, Mr. Prideaux, the clerk, is *de facto* the Company; there is nothing wonderful in this. Nearly every vestry clerk in London if a lawyer is *de facto*, the vestry. Mr. Dangerfield, vestry clerk of St. Martin-in-the-Fields, has for 30 years been the vestry!! Such a power in the hands of one man must, I hold, be most detrimental to the best interests of an artistic trade such as that of the silversmith. But to return to the Goldsmiths' Company. I have already said that I object to being governed in the pursuit of my calling by 'a self-elected body of men.' I ought to have said 'self-created.' The modes of election to the Goldsmiths' Company are threefold, first, by servitude; secondly, patrimony; thirdly, redemption, *i.e.*, purchase. Certainly more than half the present Court owe their position to the latter mode. A., a rich merchant or banker, meets B., another rich merchant or banker; A. asks B. to dine at Hall; B. likes it!! (well he may!). A. then asks B. whether he would like to join Company. B. having said 'Yes' (as well he may!), A. moves at next Court that B. be 'admitted to the Freedom of 'the Company upon payment of the usual fine and 'fees.' He is so admitted. Every two or three years, upon death of 10 liverymen, there is 'a call' to the livery. Wardens nominate 15 freemen, Court elect 10. It need not be said that B. is nominated and elected. Then upon death of a member of the Court up goes 'B.' over the heads of 150 older liverymen. This is the way in which by far the greater part of the Court have been elected. Be it remembered that these gentlemen, although wholly unconnected with the crafts, become *ipso facto* masters of the crafts, and being necessarily Conservatives (or they never would have been elected) reform finds no friends in them; on the contrary directly they get on the Court, the little reform they might previously have had in their composition is snuffed out—*or* woe betide them!! What in my opinion is wanted is this: all their compulsory powers should be take

“ from them. Under a voluntary system of hall-marking the trade would flourish; under the present system the trade is rapidly becoming worse and worse. Of course with their enormous income much *could* be done by the Goldsmiths' Company for the benefit of the crafts—by technical education. At present but little is being done, and that little all wrong. They waste annually 500*l.* in prizes for drawings. This sum might as well be thrown into the road. Certain ‘pot hunters’ run after the money every year, produce designs not worth sixpence (ask Mr. Poynter, R.A.), which designs never are carried out; they used to be sent for exhibition to a place in Tufton Street. I went there one day, some weeks after the collection had been on view. I was the second man in the trade who had put in an appearance. I would not have taken the designs *as a lot* if they had involved me in a half-a-crown cab for their removal. Of course ‘prizes for drawings’ are not ‘technical education.’ The laughable part of it is that whereas the Company do nothing or nearly nothing for their own crafts they devote 3,800*l.* a year for the technical education of clergymen and lawyers, by means of scholarships or rather exhibitions at Oxford and Cambridge, in sums of 50*l.* per annum. It is lamentable to think what good might be done at comparatively but little cost, if the Company rightly understood their responsibility to the trades. A few hundreds per annum would support a technical school in which much could be done. However, so long as Mr. Prideaux reigns supreme in Foster Lane, I look upon the matter of reform as utterly hopeless.”

614. Have you formed any opinion as to the advantages or disadvantages to these Companies with respect to trade, which seems to be the principal subject of that letter?—Only so as to the Goldsmiths; there are a few others, the Apothecaries, for instance, but that is more regulated by Act of Parliament than it is by their charter, and it is a sort of trading concern, an ordinary chemist's shop, administered by a company; and then there is the Vintners' one of the most mischievous powers that can possibly exist. A man who is a member of the Vintners' Company opens a house for the sale of wines without a magistrate's licence. He is under certain control, it is true, but it is a privilege that is mischievous.

615. (*Chairman.*) Is that only in the city, or generally?—I know one at the West End.

616. (*Mr. Firth.*) Have any illustrations of the exercise of that right come under your notice?—There was one.

617. Was there not one in connexion with the Royal Exchange?—Yes. Of course the Stationers' Company presumably exercise some little control, but their funds are not used for that purpose, fees are paid. The same with the Gunmakers.

618. The Stationers, I think, have a certain right, or at any rate they issue a considerable number of almanacks?—Yes; they had Old Moore's at one time.

619. And they have Old Moore's still, have they not?—Yes. What I look at is that their funds are not used for the purposes of trade; they charge fees when they do any duty, which cover the cost of it; and the same with the Gunmakers, if they prove a gun they charge a fee, which covers the cost. The Fishmongers' Company I have referred to as having two inspectors, and we could nominate them from the city, without having a big company to do it.

620. Are you aware of any other Company that at present exercise any influence, useful or otherwise, over trade?—I know of none. The Clothworkers have not done it for 150 years, and as to the Mercers' Company, there is not a mercer in it. A century ago they wrote they were different to other Companies, they had one mercer.

621. How long ago is it since that was written?—1760; it is very quaint writing.

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622. Have you ascertained, either from the register or elsewhere, how far members of the Companies are members of the trades the names of which the Companies bear?—Knowing a large mass of the public in London in different trades, I have taken from the register the names of men who represent the trades; Distillers and Brewers have more names than any others.

623. What do you find to be the general condition of the Companies, from that point of view?—The trades are not represented. This illustration of the Goldsmiths' Company is remarkable. It has the largest number of any, except the Distillers.

624. Did you look into the case of the Merchant Taylors?—Yes; the reason I included the Merchant Taylors is that I do not see their name in the list, and the same with the Drapers, the Mercers, and the Salters.

625. We know something, for example, of the Company you have just mentioned; do you know that 200 or 300 years ago the Merchant Taylors used to go with a cloth yard into Bartholomew fair?—That is part of their history; they boast that a number of men who were on the craft of their company have been Lord Mayors of London, and the same with the Grocers' Company. It was part of their great pride; and one gentleman in the city, Mr. Orridge, wrote a book to show the association of those mayors with their craft, and with the noble families with which they became allied.

626. You have directed public attention, in the press and otherwise, to this state of things?—To the absolute decay of the Companies. They are no longer of any use whatever; it is absolute desuetude.

627. Now, as to the future, are you of opinion that any useful service ought to be rendered by all or any of these Companies to the trades whose names they bear?—Of course, we could provide a scheme of technical education, and from the Companies, assuming that the original craftsmen returned to them, we could have a devolution of useful work, but not as they are at present constituted.

628. Would the appropriation of their funds to technical education meet with your support?—Yes, but I should want a much longer inquiry than has been bitherto made before they began to expend money for that purpose.

629. Did they begin to expend money for that purpose before or after the agitation of which you have spoken?—(1) After; and the 25,000*l.* for the London Hospital was after that agitation. A vast amount of money was given in various ways after our agitation, and I think they are a little premature and hasty in this scheme of technical education. I admit its value, but I think we should have more inquiry: men like Professor Huxley, and other men who have expressed opinions, do not think it is upon a right basis. Professor Huxley wrote to the “Times” strongly about it.

630. With regard to a Company like the Salters' Company, what would you think of the possibility of dealing with those trades in the way of technical education, or for a trade appropriation of their funds?—I do not see that it applies to those; modern legislation has provided an inspector with power to examine into the proper quality of goods, and an analyst is appointed to the several vestries of the metropolis.

631. In the case of a company like the Salters' Company, what would you say would be the course which you would suggest?—They have allowed the work to pass out of their hands, and they have allowed public analysts to be appointed to do it throughout the metropolis; there is nothing for them to do, and we do not want them.

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(1) *See* Grocers' Statement, p. 274.

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632. Then do you think the whole property of a company like that should be made available for public purposes?—Yes, the greater includes the less. I include them all in it.

633. Are you aware of the contention which has been forcibly advanced on behalf of the companies, that their property is private in the sense that it is completely at their own disposal?—Yes.

634. What do you say as regards that contention?—Having a municipal basis, and being part of the corporation of the city, I think it follows the principle of the clause of the Act of 1835, to which I have referred, and it is public property, it is in no sense private. I contend that even their gold and silver, and their furniture are public property, and that any devolution of the continuity of this principle to another concern, it, of right, follows it, as the Bristol property after reform came to the modern corporation of Bristol, and Leeds the same; in fact, in the case of Leeds, it is historic that an action was brought to recover property which has been sold, and it was successful. I can form no idea of any pretext upon which the word "private" can attach to property which has come into the possession of those guilds. I will even carry it to the extent of including Swaites' bequest of 20,000*l.* to make themselves comfortable. I say, absolutely, that is public property. Everything belonging to the company is public. If our contention be right, that their charters are gone, and that they had before the charter a property, then, I say, you were not content with your title, you asked for the charter, and if your charters are forfeited then we are going to deal with an intestate estate, and Parliament must take it, and must sit down and make new rules to administer it.

635. (*Mr. Alderman Cotton.*) May I ask what your profession or calling is?—I am a land agent.

636. I think you went some time ago upon a deputation to the Home Secretary, and the Duke of Westminster was with you?—Yes.

637. Did you, in putting forward your argument for the widening of the municipality of London, turn to the Duke of Westminster and address him thus: "And then you, your Grace, might condescend to "become Lord Mayor of London"?—I did not say that; if any one, Lord Elcho did; but I do not think he used the word "condescend." Sir R. Cross can confirm this. What he did say was "that his noble "friend (the Duke of Westminster) might aspire to "be the first Lord Mayor."

638. And you acquiesced in that statement?—Yes, I should like to propose the Duke of Westminster as first Lord Mayor of United London.

639. Your political views are very extreme, are they not?—No, I am one of the most moderate of men.

640. Up to the present time the position of Lord Mayor of London has been filled by the middle classes, and I understand that you would take it from the middle classes and place it in the hands of the aristocracy?—No, certainly not. At present the aristocracy have not been represented. When we have this municipality (though it is not within the scope of this Commission to deal with this) I think it would be a compliment, when all classes are going to unite on a representative basis for the formation, creation, and support of an entire municipality, to make a man of the eminence of the Duke of Westminster with his large property the first mayor; and that we of the humbler classes should show that we respect the owners of property, and that the municipality is not in antagonism with the aristocracy, but that in the sense of the words of Lord Derby friendliness exists between all classes in this country no matter what their divergence of opinion may be.

641. I believe you agree with me that it has been the fault of the aristocracy themselves that they have not been Lord Mayors of London up to this moment?—If you had let London extend as London was found to extend into Farringdon Without and Cripplegate, and had taken in all London then there would have been a chance for the aristocracy; but they are not shopkeepers in the city, or tradesmen in the city, and are not eligible as members of any guild to hold the post. A man must be a member of a guild to be Lord Mayor of London.

642. As I understand you are for sweeping away the whole of the Halls; you would do away with the whole of them?—All of them.

643. And you would take all the property which is now held by the guilds from them of whatever kind?—I do not take it, I change the body that is to possess it, that is the municipality of London instead of the guilds; it is a continuity of the administration; the heirs coming into possession of their property.

644. Are you aware that the guilds are quite distinct from the corporation?—They are the municipal basis of the corporation.

645. But that is only as regards the voting?—What else would you have, they are part and parcel of the corporation of the City of London, and you have to present your choice to the Court of Aldermen for approval.

646. Surely you do not believe their property to be part and parcel of the corporation?—Certainly, I cannot disassociate it; it would not be theirs were they not what they are, it would not have been left them.

647. But if they had been elsewhere would not it have been left them for the same purpose?—If it were a club in Pall Mall, for instance?

648. Yes?—No, there is no municipal franchise attaching to a club in Pall Mall.

649. You would take their property from them because they possess the franchise?—They are municipal public bodies and cannot hold private property.

650. You were instancing just now the case of the Grocers' Company having property which they paid 9*l.* 2*s.* a year for, and you said they had made no return of it?—9*l.* 2*s.* is the return, that is a trust called Keeble's trust.

651. They have returned the present rental?—But they return 9*l.* 2*s.* as the income of the charity.

652. I understood you to say that they had not made that return?—Yes, they have done so.

653. And you said that the returns would be much larger in consequence?—That is a typical case which would apply to a great many.

654. I am anxious for the honour of the Company that that should be set right; they have set forth the present rental which they are receiving for those properties?—In so far as I have attacked their honour it was upon the ground that they returned the 9*l.* 2*s.* only; they never said there was a return of 20,000*l.* behind it, but now we have got it the object of the Commission is served. (1)

655. Would you take any of the properties from the Companies who hold by Act of Parliament?—So far as an Act of Parliament would override a charter, no.

656. It says here that "the title of the Companies is "based upon Acts of Parliament, it has been repeatedly "held by the Court of Chancery that the Companies "are actually entitled to the whole increment of the "rents as corporate and not trust property"?—They cannot separate corporate from any property which I call public; I do not understand the word "corporate" as meaning "private."

657. Then you do not agree with the Court of Chancery in that respect?—That is a decision of a century ago. The public were not represented when those decisions were given; and I think if we had the public represented now we should have rather a different decision. I do not call in question the knowledge of Lord Eldon or any of the men who made these decrees, but the public were not repre-

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(1) *See* the Grocers' Statement, p. 269.

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sented. Look at the case of Donkyn; (1) the public were represented, and the Attorney-General made a great fight. The Wax Chandlers' was another case.

658. Had you anything to do with bringing about the Charity Commission?—It was before my time, in 1853; I was a very young man then.

659. You are aware that the whole of the charity property of the guilds held in trust is now under the control or supervision of that body?—If that be so, then the reports of the Charity Commissioners to the Home Secretary and Parliament are very wrong, because they state the deficiency of their power—that they have no right to inquire into anything, the income of which is 50*l.* a year, except with the consent of the governing body of the charity; and that the only chance they have got of getting into their secrets is if an improvement takes place touching city property they must go to the Charity Commissioners about the re-investment of the money; and then the Charity Commissioners get hold of it and use their powers. If you like I will bring the 15th, 16th, 17th, and 27th Reports of the Charity Commissioners.

660. They say "No account of the rents was "given if the title was not disputed by the Charity "Commissioners." That applies to the case of the 9*l.* 2*s.*, does it not?—(2) I do not dispute the Charity Commissioners' decision. This 9*l.* 2*s.* was the income from six cottages and gardens and yards somewhere about the year 1500. The entire income was given to be divided in certain ways; then I say as a matter of law that every shilling of that property, to whatever it may amount, must be used for the same purposes.

661. (*Sir Richard Cross.*) It must depend upon the deed which gives it?—If he said the residue or remainder to same purpose, well and good, but still it would it would be public property in my point of view.

662. (*Mr. Alderman Cotton.*) You spoke of the Bluecoat School, St. Paul's School, and the Charterhouse as being the property of the poor?—Yes.

663. And that it ought to return to them?—Yes.

664. Have you any idea as to the relative position of those who now enjoy the benefits of the Bluecoat School compared with those who enjoyed them at the time when the school was founded; may it not be benefiting a somewhat similar class?—I do not know whether you have read Stow's history. He says that the children were gutter children, and he speaks of them as such, and he says that 400 children were taken out of the streets within one month of its establishment; and I do not think that that is the class at present in possession. If the school board had it as a truant school it would be a magnificent use, with certain changes.

665. Are you aware as to the limit which excludes children from being admitted into the Bluecoat School?—Yes. I have all the rules, and how a class of this kind can go into it I do not know. The father must state that he is a pauper, and three other people must bear witness that he is a pauper; the churchwardens of the parish and the rector or vicar of the parish must certify that the parents have no means of bringing their children up. I have seen the Bluecoat boys riding in their carriages and pairs, and I have seen them coming out of houses in Portland Place.

666. (*Mr. Pell.*) According to the bequest they must be in receipt of parish relief?—No, but in Christ's Hospital the parents cannot enter a boy unless the parish gets a certificate that they will take care of him, if so required by the Hospital.

667. (*Mr. Alderman Cotton.*) What would be the wages of an artizan? I suppose you would put an artizan's child in, would you not, under the new rules?—No. The pride of an ordinary working man would not let him sign the certificate.

668. Are you aware that the real exclusion from Christ's Hospital is the possession of a larger income than 300*l.* a year?—I will bring the report of 1816, where it is all set out. I will bring Brougham's report, and Mr. Farren's report, and Mr. Hare's report. They are most instructive documents, which you should read.

669. Personally, I understand that you have no objection to the middle class enjoying the benefit of these schools as they have done for many years past?—They belong to the poor, and the middle class begrudge paying even now the school board rate. The "Times" contention was that you should give compensation in endowments to the middle class, and the school board to the humbler people; but do not begrudge the school board rate, and do not begrudge the education that is given in the schools.

670. You spoke of technical education, and you said that you do not approve of it, as at present commenced?—No. I take the view of Professor Huxley that sufficient inquiry had not been made, and that the matter was jumped forward, to appease the demand of public opinion for something. They should have stopped and have thought more about it, though I give them credit for what they have done. The Goldsmiths' Company talked about exhibitions at the universities, that requires very grave thought and care; it is put down as a public object, but 3,800*l.* a year, to be spent out of their moderate fund, for that purpose, is an expenditure that I should resist.

671. Would you do away with the fees paid by the freemen on admission, and the liveryman when he takes up his livery, and the fees he pays when going on the court?—I should abolish them altogether.

672. Have they not helped to build up the property of the guilds?—Which they paid into a public body with a full knowledge of their duties, and if they would not perform those duties I claim that money.

673. You have said for many years, at least, they have not been the inspectors of the various crafts, and that the crafts have had nothing to do with it?—Yes.

674. Then you cannot accuse those who have joined the guilds in these days of going into it as a guild, following a particular craft?—I do. I draw a general indictment there. You have raised the fees of admission to a price which no artizan can pay. You pay a hundred guineas to the Vintners' and the Goldsmiths', and you prohibit the artizan from coming in, and I say on the contrary, you might go to the Court of Chancery and say, "These men are not legal members of that guild, because they have forfeited their "charter, and you must reduce their fees so as to "enable any member of those trades to join them, as "it was originally."

675. You have not prepared a scheme, have you, for the use of the money of the guilds, supposing it should be handed over to you?—I have mentioned several subjects of utility, the extension of education and open spaces, which would benefit all classes, the extension of hospitals, and the training of nurses, and exhibitions.

676. (*Sir Richard Cross.*) You stated that you did not see any difference between corporate property and trust property. The Charity Commissioners at all events have the power and insist upon looking at the accounts, and upon having accounts rendered of what is called trust property?—Yes.

677. And there a distinction is made, is there not, between trust property and corporate property; one being clothed with a trust and the other not; do you agree in that distinction?—I do not think you have correctly stated it as they state it in their reports; they set out in their own reports the amount of money that they have taken into their hands and controlled; they do not call it corporate property, they call it trust property.

678. The Charity Commissioners have had, and are bound to have, the accounts rendered to them of the

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(1) *See* the Memorandum of the Merchant Taylors' Company (p. 264). *See also* the Report of Sir R. Cross, Sir N. de Rothschild, and Mr. Alderman Cotton.

(2) *See* the Grocers' Statement, p. 269.

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property which is clothed directly with a trust which amounts to about 200,000*l.* a year belonging to the Companies. Then there is other property of about 500,000*l.* a year, with regard to which the Charity Commissioners do not call for accounts, it not being clothed with a distinct trust; do you agree in the distinction between the two terms?—So far as the Charity Commissioners put it, yes; but I do not agree in the definition of the word "corporate" as you put it.

679. Is your contention this, that taking the Guilds as they stand, every property which they hold, down to their pictures and plate, is all public property to this extent, that it is meant for public use?—Yes.

680. That it is for the benefit of the public and not of the individuals for the time being existing in the Corporation?—Yes.

681. Has your attention ever been turned to the body called Serjeants' Inn?—Yes.

682. Do you believe that they held their property on the same footing that these Companies do?—I think if the sale had been contested it would have been stopped.

683. Are you aware that they have divided the property amongst themselves?—Yes.

684. Those gentlemen who sold that property were very learned people, and were bound to know the law, were they not?—Yes. We know also that there have been a great many errors on the part of very learned people, as set out by Lord Brougham in his celebrated letter to Sir Samuel Romilly.

685. I want to know whether you would have contended, as a matter of fact, that the property belonging to the members of Serjeants' Inn was public in the same sense that you contend that all the property that belongs to these Companies is public?—I have not looked into that as I have into the Inner Temple, which is distinctly public property; nor do I sufficiently know the origin of Serjeants' Inn. I only know the contention of some people and my contention, namely, that if they had been stopped by legal procedure the sale would not have taken place.

686. Are you aware having looked into the question of the Companies that the Crown made great exactions in early times, in the time of the Stuarts, and the Tudors, after they got their charters?—Yes, both in the time of Edward the Sixth and Henry the Eighth.

687. They suffered very considerably, did they not, at the time of the fire of London?—They did.

688. And I believe most of the halls of the Companies were burnt down?—Yes, public property was burnt.

689. And they were restored to a great extent, were they not, by the munificence of members of the Companies at the time?—There is a little difference about that. The City got into debt and became insolvent and we were taxed in some way, I think it was by a penny tax upon coal, which has been continued from that time to this, to pay off that indebtedness. It has grown as you know from 1*d.* to 4*d.*, and 1*s.* 1*d.*, and so on.

690. A good many of the Companies were at that time almost reduced to bankruptcy, were they not?—Yes.

691. And did not a great number of men who belonged to the Companies come forward and advance large sums?—Herbert, and Jupp in his history of the Carpenters, in their books represent the indebtedness as a given time, the sacrifices made, and how they were paid off.

692. Still, money was given, was it not, by members, with which the halls were rebuilt?—Yes.

693. Then you do not think that any devise or gift could be made to any of these Companies which would not practically be public property?—Certainly not.

694. You are aware, are you not, that there always has been a distinction drawn in the courts of law between those deeds which give property to a body or to a person on condition that he makes a payment to B., and those cases where there is a devise or a gift for the benefit of A. and B.?—I put it as a footnote. I took legal opinion upon it, in order to know whether I was right in my view of the law.

695. You do not differ from that, do you?—No.

696. I am reading from the judgment of Lord Cairns in the case of the Attorney-General *v.* the Wax Chandlers' Company: "As was said by Lord "Kingsdown in your Lordships' House, in the case "of the Dean and Canon of Windsor, there is the "same difference between these two classes of cases "as there is between a devise to A. upon condition "that he makes a payment to B., and a devise of "land for the benefit of A. and B. together"?—No doubt that is the law. I should like to have this pamphlet put in (*handing in the same*).

697. Is your opinion expressed in this foot note at the bottom of page 15?—It is.

698. You say, "The law has in too many cases "applied decisions which would be perfectly just as "between an individual benefited under a will subject "to his satisfying other bequests; but does this rule "of construction apply as to these public and "charitable gifts, which applies to a private will, or "rather a will of private property to relations. Thus "if A. left a house let at a rent of 50*l.*, with a direction that B. should pay 25*l.* a year to C., and 20*l.* a "year to D., he is held to have given to B. the "whole estate beyond the 45*l.*, and if it comes to "1,000*l.* a year B. is entitled to have the whole "residue. If this were a gift for charitable purposes "there should be a different construction for the public benefit, and the charitable objects should justly "increase in proportion as the value or produce of the "property increased. The companies say, in most of "these cases, we pay the fixed sums, and the rest is "given to our use. Our case then is: You are public bodies, and the only uses you have a right to "apply it to are public uses. As the old ones have "failed, it is the duty and business of the Legislature "to find new ones for the public benefit." Do I understand that your ground for appropriating the money of these Companies and giving it to the proposed municipality or to any other purpose rests upon their being municipal institutions to start with?—Yes, public bodies. (1)

699. But the Commissioners who sat to inquire into the operation of the Municipal Corporations Act some time ago did not consider them as municipal institutions, did they?—Clause 92 of the Act of Parliament of 1835 did. Take, for instance, the report upon Bristol.

700. I am talking of these Companies?—The same thing followed then; legislation took place and included them in Clause 92 of the Act of 1835.

701. I am speaking of the Municipal Commission of 1834; are you aware that there were serious doubts entertained at that time as to whether these Companies were municipal corporations at all?—I know there were legal opinions to that effect expressed, and that is the reason given, I think, for the Merchant Taylors Company not replying to the questions of the Commissioners. That is set out in Herbert.

702. And they did not reply, did they?—No; they were contumacious.

703. And I believe no action was taken in consequence of their refusal?—None.

704. They thought they were right?—They were so advised.

705. With regard to the trust property that is administered by these Companies, which amounts to 200,000*l.* a year, have not the Charity Commissioners from time to time reported that in their opinion that part of the business has been managed very well by the Companies, and that they had no fault to find with

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(1) *See* Goldsmiths' Memorial pp. 305–6.

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their administration of it ?—I am not of their opinion, taking the Keeble case as an example.

706. You know that they have made that report, do you not ?—Yes.

707. So far as regards those particular charities, amounting to 200,000*l.* a year, would you be content that the Charity Commissioners should have it in their power to make fresh schemes with respect to them ?—No, I should not.

708. Why not ?—I want the whole of the 200,000*l.*

709. Would you be content that the Charity Commissioners should make any suggestions for a new scheme ?—No; I have lost all faith in the Charity Commissioners after the Christ's Hospital scheme.

710. Why have you lost all faith in the Charity Commissioners ? — They wanted to make Christ's Hospital a great middle-class boarding school, and they have assented to the Charterhouse School going out of London, whereas they should be schools for the poor of London; they also consented to the removal of St. Paul's School to Hammersmith. I want a more popular body represented. I think trades unions should be represented upon the Charity Commission.

711. Would you trust the Metropolitan Board of Works ?—Not for anything.

712. Why not ?—Because I have no faith in them. I want a directly elected body. I want brains where I have a public body.

713. Then I presume you would not trust the vestries ?—No. I should like to take the whole of their charitable funds from them.

714. What is your objection to the vestries ?—They are not composed of the class of men who should administer a charity.

715. Do you think that by direct election in such a great place as London you would get people who would be the best persons to devise schemes for administering these charities ?—Yes, where it is on a broad basis like the school board, which is an important example.

716. Would you like the election to be conducted like that of the school board ?—Yes, you may make variations, but if the municipality is elected direct from the electors, better men may come forward.

717. Do you not think that if this million a year which you speak of is to be given to the poor of London, it will have a very serious effect upon London in the course of time ?—No, not as we propose to administer it, for purposes of public utility; it is theirs, and I do not know any reason why they should not possess their own property.

718. I will now come to the question of the school. One of your objections was, and I may agree with you, that some of the moneys belonging to schools like the Charterhouse, have been taken away from the poor and given to the rich, and that the poor are educated in the rate-paying schools in consequence ?—Yes.

719. And in consequence of that the rate-payers have to supply the rates ?—Yes, they largely contribute to it, being the majority; they contribute the larger portion.

720. I believe they get as good an education as you could wish under the school board ?—No.

721. Do not they ?—No, I want a much higher education at those schools than they are having; the great inequalities of fortune in life have to be got over by the highest possible education. To a child coming into the world, of whatever class he is, the bitterness and antagonism is gone when he is trained for the race with the highest education you could give him.

722. Could you send a boy into a high school unless he is fit for it ?—He would pass his examination in the lower school, and go to a higher school; if he still pursued his career of merit he would go to the universities, precisely as they do in Christ's Hospital, and I can see no reason of class why you should not produce many good men. Louis Cavagnari was a Christ's Hospital boy, and that man had from Christ's Hospital for nothing as good an education as he could have got in 20 other schools, but he kept another boy out who might have been another Louis Cavagnari.

723. If you relieved the rates by this money, you would devote a good deal of it to relieve the rich, would you not ?—You cannot help that; you do relieve the rich, no doubt, to that extent; but the public purpose to which we should devote this money would generally require new departures. The rate for the Metropolitan Board of Works, and the rate of the School Board, you allow to be paid out of another fund altogether. Parliament passed a Bill which I promoted, in 1860 and 1868, which reduced the income of the Gas Companies 1,209,000*l.* a year; nobody said that that money should not keep in the hands of the ratepayers, in fact it pays the Metropolitan Board rate, School Board rates, and freeing the bridges.

724. Your great object in that matter was to relieve the ratepayers' burdens ?—Yes, the Metropolitan Board of Works gave evidence that the burden was becoming unbearable.

725. Would it be a wise application of all this money that it should go to relieve the ratepayers ?—I do not say all of it. London open spaces take a great deal of money, only you do not build hospitals out of the rates as you ought to.

726. May not the Companies themselves be entrusted with the administration of some of these funds ?—Why did not they give 25,000*l.* to the London Hospital before we began our agitation. I admit that they have done for the London Hospital what is a good work, but I have not seen that they have used the money so wisely and well before. A dinner at the Goldsmiths' Hall is not a very elevating sight, and I think that the emptying of the Halls is a still less elevating sight. (1)

727. (*Mr. Pell.*) You said that you regarded everything belonging to the Companies as public ?—Yes.

728. Would you tell me what you mean by "public" ?—That they are public bodies instituted to perform public trusts, and that everything that goes into their coffers, or into their possession, is public property, and should follow the original purpose for which it was granted to them. They are to control the trades and keep up the mysteries.

729. What sense do you attach to the word "public" in respect of property ?—Take a dockyard, that is nominally called Her Majesty's property, but as a matter of fact it is national property, and could not be parted with except with the consent of the Legislature; this property in the same sense is used for the purpose and duties of these guilds.

730. Do you not go further and impose a limitation upon this public property, if it was to serve the interest of the poor alone, which is not the case with Her Majesty's dockyard ?—That seems reasonable, but most of these bequests invariably use the term poorer classes or paupers. Eton College was to be a school for paupers.

731. When your subsidised hospitals were established, would you deny admission into them, they being established out of this public money, to the middle classes ?—Certainly not; but I go much farther. I want to make the administration of that property the municipal work of London.

732. Do you hold the same views with respect to schools as you do with regard to hospitals ?—I should make them the same as in America, every child should go to the same school.

733. I thought your contention was that a sum should be devoted as regards education to the middle classes ?—You did not take my reservation. I said that when a compact was made of board schools for the working class, and endowments for the middle class, at least we expected in no ungrudging spirit that they would pay the School Board rate, but they imme-

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(1) *See* the "Observations" of the Goldsmiths' Company, p. 310.

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diately set up an antagonism with the view of reducing the quality and quantity of the education. I should look round and see who are entitled to it and have not got it.

734. You think that the hospital should be more generally open to the public than the free schools?—No, I would put everybody into schools; I would not have a voluntary school.

735. And everybody might have in the same sense the free use of the hospital?—Yes, and pay rates for it.

736. (*Chairman.*) When you say that all the property of these Companies in your view is public property, I did not understand you to be describing what you supposed to be the actual legal position of the law, but rather that you were speaking of what in your view ought to be if the law were modified to make it so?—As a popular view outside the legal.

737. You did not describe what has been, but what in your judgment ought to be?—Yes.

738. (*Sir Richard Cross.*) Is that so?—I say "in " my judgment is so."

739. (*Chairman.*) How do you say "it is so," do you mean that it is so legally?—I say so, my Lord. I say this is part of the corporation.

740. If your view is correct, there would be no necessity for application to Parliament at all, in order to deal with the property of the Companies, because if it is legally applicable to public uses a court of law would give the redress which you think desirable?—No; we must first of all repeal the charters which give them the power to hold it. Then when you have repealed their charters you must ask somebody to say what other body may be entrusted. So long as they hold the charters, and the land is left in mortmain, it cannot be so. I say their charters should be declared forfeited.

741. (*Sir Richard Cross.*) Surely if it is public property, the Chancery Division of the High Court of Justice, or some other division, would enforce its being applied to public uses?—Take the case of Donkin's Charity as an example, but where will you get an attorney-general to fight a battle again like that? (¹)

742. Then it is because you think attorney-generals are weak?—No; the office of attorney-general ought to be a department of the Government, so as to deal with these things.

743. (*Mr. Pell.*) Did not you say that the old judgments of 100 years ago were very different from what you might expect to obtain from courts of the present day?—Yes; if they had our modern interpretation of that one case of Keble's, they would have given us the relief we asked for.

744. (*Sir Richard Cross.*) But as often as it has been tried in the courts of law, the attorney-general has been beaten?—Yes, but Donkin's case is a very strong one.

745. They have been beaten in 99 cases out of 100?—Before those two, but an individual cannot do it. We have often thought of trying to raise money to have a suit.

746. (*Mr. James.*) I believe it is the case that in a debate which took place in Parliament upon the corporation, and upon the Report of the Municipal Commissioners of 1837 (I have been unable to get the exact reference), it was stated by the attorney-general of the day, after the debate in the House of Commons, and an examination of the case, that the general sense of the House was that these bodies were municipal corporations. Have you that passage?—I thought I showed it to you some time ago.

747. Your allegation is that the Companies hold a position analogous to that which was held by the old municipal corporations, previous to the Act of 1835?—Yes.

748. And under the Act of 1835, special trustees were appointed for the trust property, under the Court of Chancery?—Under a particular clause, where the property belonged to the Church of England, and the corporation did not appoint a sufficient number of trustees, the Court of Chancery was to do it before June of the following year.

749. That was suggested in the House of Lords?—Yes.

750. And the corporate property was transferred from the old corporation to a great body of ratepayers in the new?—Yes.

751. When you speak of the property of the Companies being public property, you mean that it is property which should be under the control of a body in some sense analogous to the town council in our municipal corporations?—Precisely the same, except that it is an unformed corporation, and those were existing.

752. If you were to transfer all this property in this manner from these old bodies to any other new body, what provision would you make for compensation?—Why should we have to compensate ourselves.

753. Supposing there was a clerk to one of the Companies, what would you do with him?—You must protect all life interest.

754. Have you any scheme, or have you any suggestion to make with regard to that?—In every Bill that I have introduced we have had a clause for compensation of two thirds the salaries, but some of these salaries are astounding; take Mr. Prideaux, 1,800*l.* a year besides his fees as a lawyer for the Goldsmiths' Company, for instance, and so on.

755. You would introduce the question of compensation?—Certainly.

756. Now as to the vested interests of an individual, take subscriptions given to public institutions; the Goldsmiths' Company gives an enormous amount in subscriptions, do they not?—Could not we do that with our own money, as well as the Goldsmiths' Company.

757. You would not provide for compensation in those cases?—No, I think they have had it long enough.

758. Are not there many of these objects you would not dispute?—Yes.

759. Then why take it from them?—Because it is other people's money, it is ours; let us administer it ourselves.

760. To what purpose would you transfer it?—I would put it into the common stock, to become the property of all London, used for public purposes of utility.

761. You spoke to Mr. Firth about the six different Companies; the Apothecaries' Company, the Vintners' Company, the Goldsmiths' Company, the Fishmongers' Company, the Stationers' Company, and the Gunmakers' Company, all of which in the present day retain some connexion with the trades. Would it be well to dissever that old connexion which has existed so many years, would you lose sight of that?—What connexion is there between the Apothecaries' Company and an ordinary chemist? A public analyst appointed to do work they ought to have done.

762. The Apothecaries' Company is rather a peculiar Company; the powers and regulation over trade exercised by the Apothecaries' Company are extremely large, and it is in a different position to that of any other Company, is not that so?—It does not exercise them. You can take a drug to the Apothecaries' Company and have it analysed, but the Apothecaries' Company do not send round.

763. You must pay the license to the Apothecaries' Company before you can sell drugs?—It is under an Act of Parliament.

764. The Apothecaries' Company is hardly a fair case?—Take the Gunmakers, they charge a fee; anybody else can do what they do down at Woolwich.

(¹) *See* the Observations of the Merchant Taylors' Company, in their Memorandum (p. 263).

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765. You think it is desirable to dissociate the Companies entirely from the old connexion they have maintained?—Out of 89 you come down to five or six, who do nominally pursue something in the trade.

766. But still the old association which has so long existed, would you have it entirely dissevered?—I would have it entirely ended.

767. You would have it entirely put an end to?—Yes.

768. You have been acquainted with a great number of members of these Companies, have you not, at different times?—They will not know me now; if I have known a man for 20 years he does not know me now.

769. May I ask whether you ever had an invitation to join the Companies?—Yes; many years ago a member of the Corporation invited me to join a Company; they were then trying to resuscitate its numbers.

770. Have you frequently received such invitations?—No, that is the only time. I have often tried to get information about the accounts of many Companies, but I have never succeeded in doing so.

771. Is it not the case when you are a member of a Company, as a freeman or otherwise, that you take an oath?—Yes, I have brought the oaths here, and I have marked here and there where it sustains that contention of mine as to its being a mystery, or craft, or trade guild only, and municipal in its objects.

772. Will you give us one sample?—One is a sample of the whole. "Declaration of a Freeman: I "solemnly, sincerely, and truly declare that I will "be good and true to our Sovereign Lady Queen "Victoria, and be obedient to the wardens of this "Company in lawful manner. I will also keep "secret the lawful councils of this fellowship. And "all manner of rules, impositions, and ordinances "that are now or hereafter shall be made and law- "fully ordained, for the ordering and well governing "of the said fellowship, I will truly observe and obey "to my power. God save the Queen."

773. When you have met any members of the Corporation, and discussed this question with them, I believe you usually find a distinct denial that the Companies and the Corporation are identified?—Yes, as Alderman Cotton has put it to-day, it is the universal city observation.

774. How do you account for that?—The desire of man to keep that which is good, and keep others out who are trying to get in.

775. As to the trust property and the Corporate property, the whole of the trust property is accounted for by the Charity Commissioners, is it not?—We differ as to that. Where the trust is 9*l.* 2*s.*, and they return it to the Charity Commissioners, I admit that the Charity Commissioners are satisfied that their duties are fulfilled, but where the income is 25,000*l.* a year, then I want it to come into trust property.

776. Into trust property or into public property?—I call them both public.

777. You do not dispute the judgment of Lord Cairns?—I say this paragraph of his Lordship meets it, but it meets it on the exact lines.

778. I do not see how you reconcile that with what you told me a moment ago, that you thought trust property was to be treated in the same sense as public property?—It belongs to the Corporation, but say it is a fund of 25*l.*, and a man left 5*l.* to A, 10*l.* to B, and the rest to C; they might very easily pay the amount to A and B, and keep the balance of the property; but if he left the whole income of the 25*l.* to charity, then I do not care what form it assumes; you must pay 25*l.* if it is so, for ever, to the same object, and I put it that that is sound law.

779. (*Mr. Alderman Cotton.*) If it accumulated to 25,000*l.*, would you divide it between the three men?—That is what you do at the Charterhouse. You have eighty old men living there, at a cost of 250*l.* each. I would make to each an allowance of 80*l.* or 100*l.* a year, realise the site, and convert the whole into a pension fund.

780. (*Mr. Pell.*) How do you connect the Charterhouse with the Corporate Companies?—I would have the money used for the same objects, but extend its benefits. Four nobles were left for dinners at St. Paul's School, and they spend 200*l.*, and have 153 scholars. I would either go back to the four nobles, or increase the number of scholars.

781. Would you say the same with regard to Eton?—Eton is a pauper school, but it does not belong to London. The original statutes of Eton distinctly define it as a pauper school.

782. Take the case of Christ's Hospital; are you aware that the original endowment of Christ's Hospital was the endowment of old Grey Friars, and that the large increase in the revenues of Christ's Hospital have been in consequence of the large bequests which have been virtually given during the last 200 years?—It is left to a certain object, and I claim it for the original object, for the poor, destitute, and homeless children.

783. Are you aware that a great deal of that money was not left for that object, but that some of it was left under specific trusts?—King Charles the Second's School is one I would not touch, but the original bequest of King Edward was for poor, fatherless, and destitute children, and he went beyond that, for he founded other institutions for men and women.

784. Because a man leaves 10,000*l.* in the year 1800 for the education of children in Christ's Hospital, he meant that that 10,000*l.* was to be given to the education of gutter children; is that what you say?—No, I take the actual words, and the historic fact that 400 poor children were in a month taken from the streets. I stop at that, and I would administer it as they administered it.

785. You only use this as an illustration as to how you think the property should be dealt with?—I use it as an illustration to show how badly it has been administered in modern days.

786. I understand you to say as to corporate trust property you would not allow the Charity Commissioners to have any control over it?—If the body called Charity Commissioners were much changed from what it is at present, I would.

787. What body would you have?—You have two Bills before the House now, to make two bodies of Commissioners to deal with large City Charities.

788. Would you put it entirely in the hands of an elected body?—If it came to be the Municipality of London.

789. (*Mr. Aderman Cotton.*) Are you aware that a new Governor of Christ's Hospital pays 500*l.*?—It is the best investment a man can make; I have five boys and I could have educated them all for 500*l.*, instead of spending that per annum for years and years.

790. That is part of the charity which you would not object to?—I would abolish it to-morrow.

791. It keeps up the funds of the Hospital, does it not?—I would not allow a master to take pupils on his own account in a school, or any governor to nominate scholars, because by so doing the poor go to the wall, and the rich take the most.

792. (*Mr. James.*) You have said you have seen children riding in carriages educated in Christ's Hospital; that does not show that they are not the children of comparatively humble persons?—It is a tolerable proof to the contrary. In that particular case I do not know that I could prove that they were rich, but in Farren's Reports he states that the boys come back to school suffering from a surfeit of cake; that would not happen to the gutter children of London, or the poorer classes.

793. Have there ever come within your knowledge individual cases of malversation as to the management of these properties with reference to the duties discharged by the members of the Companies?—The

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administration is so secret that I have not learnt anything about it, except from public documents.

794. Is there not a pamphlet written by Mr. John Robert Taylor ?—You might call Mr. John Robert Taylor himself, and no doubt he would produce his pamphlet.

795. Do you recollect the individual against whom he makes a charge in connexion with the mismanagement of property of a Company ?—I remember the case.

796. There were certain charges made by Mr. John Robert Taylor against Sir Thomas Owden ?—Yes.

797. You are not acquainted with any others ?—No, I do not know that I searched for malversations; it was not so much my contention that these men were doing a dishonourable thing, as that they were not doing right; and not knowing what was the true devolution of this property, I do not think I ever inquired whether this property belonging to guilds was ever let to a relative of a governor or warden.

The witness withdrew.

Adjourned to Wednesday, 26th April, at 4 o'clock.

FIFTH DAY.

Wednesday, 26th April 1882.

PRESENT:

THE RIGHT HONOURABLE THE EARL OF DERBY, CHAIRMAN.

HIS GRACE THE DUKE of BEDFORD, K.G.
THE RIGHT HON. VISCOUNT SHERBROOKE.
THE RIGHT HON. SIR RICHARD ASSHETON CROSS, G.C.B., M.P.
SIR NATHANIEL M. DE ROTHSCHILD, BART., M.P.
SIR SYDNEY WATERLOW, BART., M.P.
MR. WALTER H. JAMES, M.P.
MR. PELL, M.P.
MR. JOSEPH FIRTH, M.P.

MR. H. D. WARR, *Secretary.*

MR. JAMES BEAL recalled; further examined.

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798. (*Mr. Firth.*) Have you to-day brought with you the evidence of the Charity Commissioners themselves through their reports as to the point raised last time, that they possessed sufficient control over the charities connected with the City Companies?—I have brought several reports of the Charity Commissioners, the 10th, the 11th, the 17th, the 18th, the 21st, the 24th, the 25th, and the 29th to show that in each of those reports they ask Parliament for further powers to enable them to deal adequately with the great trusts, and I have marked passages which sustain the contention.

799. Is this one of them, in the 10th report, on the 4th page: "We are confident that the voluntary "resort to this simple and inexpensive jurisdiction "may be relied upon for producing progressively a "large improvement in the administration of endowed "charities, notwithstanding that our inability to exercise many of the most important powers vested in "us by the Charitable Trusts Act, 1860, except upon "the application of the trustees only in cases of charities possessing more than an inconsiderable income, "or of prescribed parties in other cases, involves an "important limitation of those beneficial provisions. "If the Legislature should think fit to remove hereafter or relax that restriction, we humbly consider "that great advantage would result from that change "of the law to the objects of the charities"?—That is one.

800. You are aware that the Legislature has not hitherto seen fit to remove or relax the restriction there complained of?—I am; an effort was made last year, but it failed.

801. With respect to the 11th report, you wish to direct the attention of the Commission to the paragraph on page 5, in which the Charity Commissioners, speaking of the charities generally, say: "A considerable addition to the former income of many "charities comprised in those reports has resulted "from legal proceedings instituted since their date for "the restitution of charitable rights which had been "in suspense, and a yearly income of 22,420*l.* 3*s.* 2*d.* "is derived from new charities founded since the "former reports in the proportions of 11,780*l.* 9*s.* 4*d.* "arising from foundations made by will, and "10,639*l.* 13*s.* 10*d.* from charities founded by deed "or other acts, *inter vivos.* The remainder of the "increase is due in a very principal degree to the "improved productiveness of the endowments, the "value of which especially in the Metropolis and its "vicinity, has been very largely augmented, resulting "in some instances, especially of charities applicable "within the City of London, in a disproportion of the "endowments to the purposes or objects of the foundations, which may well deserve at no distant period "the interposition of the Legislature to regulate their "application"?—I do.

802. You also wish to draw the attention of the Commission to the suggestions made at pages 5 and 6 of the 17th Report of the Charity Commissioners as to the necessity of amending the Charitable Trusts Acts in the direction of giving increased control over charities of the kind with which we are dealing?—I do; there is the repetition of the same demand there. The Charity Commissioners with respect to that matter say: "In former reports we have adverted to "certain provisions of the Charitable Trusts Acts, "which in our judgment detracted more or less "seriously from the beneficial efficacy of those laws "for their designed objects, and have instanced particularly two of the most important of those provisions. The first, creating an uncontrolled right "of appeal from our most important orders if affecting any but minor endowments, exposed the "charities to a liability of becoming involved in ill-advised and costly legislation contrary to their true "interests. The second restricts us from making "orders for the reconstitution of any considerable "charities, except upon the application of their "actual administrators, who may be opposed to all "reformation of their management. The Charitable "Trusts Act, 1869, passed during the last session of "Parliament, besides removing several minor imperfections, and improving the effect in other respects "of the previous Charitable Trusts Acts, has provided an effectual remedy for the first of the defects "to which we have referred. Requiring that all "appeals from our orders shall be made with the "approval of the Attorney-General, it has at the "same time preserved the right of the public to have "those orders revised in all proper cases, and has "placed as substantial a safeguard on appeals as the "Act of 1853 placed on all litigation affecting charities, "but which the Act of 1860 (probably without foreseeing the consequences) removed in the case of such "appeals only. This enactment has had the effect of "facilitating our proceedings and relieving us from a "very prejudicial constraint in the discharge of our "duties. We should look for a yet larger amount of "public benefit if the Legislature for remedying also "the second defect to which we have referred of the "existing Acts, should think fit to enable us to act "upon all endowments alike, upon other applications "than of their existing managers only, if not also to "act upon our own knowledge alone of the existence "of sufficient occasion for our intervention. The "Act of 1869, section 9, received a modification in "the course of its progress through Parliament, "which appears to us to deserve regret. It has been "our duty to prevent rigidly the charge on the public "purse of all expenses within our control connected "with the administration of particular charities. The "practice of requiring upon all applications for our "warrants for the disposal of charity properties, that "the surveys and other information required for our "guidance shall at the outset be provided by the "trustees from the funds in their hands exemplifies "this principle, to which we are able to adhere in "many other cases. The Act as originally framed "proposed that the Commissioners should have a "larger power of requiring the trustees of charities "to provide from the funds at their disposal certain

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"classes of expenses incurred at the instance and for "the necessary information of our board, but the "limitation of that provision to expenses only incurred "on the application of the trustees or other applicants has greatly lessened its beneficial operation. "The general law of charities, as distinguished from "the provisions made by the Charitable Trusts Acts "for its administration is matter for wider consideration. We have ventured in our former reports to "suggest that an expansion of that law is greatly "needed in the public interest for authorising a "larger latitude than is now permitted in the re-appropriation of endowments of distant date to new "uses, and our whole experience impresses on us that "conviction. We think that such re-appropriation "might be made with great advantage in very "numerous cases, and that they might be accounted "to be in furtherance rather than to the disappointment of the general designs which it is just to "attribute to the founders of the endowments. Our "authority to propose legislative schemes for particular charities may be considered as of no effect "for the preceding general purpose." Then, as an illustration, they refer to the case of Owen Jones's Charity, at Chester: "In the case of Owen Jones's "Charity an endowment producing at the present "time upwards of 600*l.* per annum, is held for the "benefit of the poor of the several City Companies "in Chester. These Companies are 23 in number, and "whatever may have been the importance of their "functions at the time of the foundation of this charity, "they have, with the single exception of the Company "of Goldsmiths, long wholly ceased to have any "duties to perform for the public benefit, and with "that exception they continue to exist apparently for "no other object than to be enabled to divide amongst "their members the income of this endowment. They "exhibit, as is forcibly observed by Mr. Martin, the "anomaly of a body of recipients being continued for "the sake of the charity instead of the charity for the "sake of the recipients. The moral working of this so-called charity is sufficiently illustrated by the statement "of the case given in the Appendix; but mischievous "as its effects undoubtedly are, the evil in the present "state of the law is virtually irremediable, for so long "as these Companies, who are the declared objects of "the foundation, shall continue to exist, no scheme "can be established, either by the Court of Chancery "or by our board, which shall have the effect of compulsorily depriving them of its benefits, and of "transferring the endowment to really useful objects; "nor should we expect (with the experience we "possess) that any legislative scheme proposed by "our board for a similar object would succeed, in the "face of opposition from persons interested to maintain the existing state of things. The result is, "that an endowment, which, if placed under effective "regulation, might furnish largely the means of advancing the welfare of the industrial classes in the "important town for whose benefit it was designed, "will, unless some new legislative remedy shall be "applied, continue to operate to the degradation only "of its recipients."

803. With respect to the answer you gave as to the limitation of 50*l.* you wish to direct the attention of the Commission to the 18th Report of the Charity Commissioners, pages 5 and 6. Perhaps I might be permitted to read the first of those sentences:—"We "should anticipate especially much advantage from "the removal of the restriction, which is still placed "upon the exercise of our jurisdiction to make "orders for the regulation of any charity having a "gross yearly income of 50*l.* or more, except upon "the voluntary application of the trustees themselves, "who may be the persons most interested in preventing action in the matter. In our humble judgment, the authority of this Commission to take "measures for the correction of any maladministration of charities brought to its knowledge, or for "effecting any fit improvement of their application, "should not be dependent on the accidental disposition of individuals to appeal to its jurisdiction for "such purposes. But the specific restriction on its "authority, which has been referred to, appears to "be open to peculiar objection." And there are further notes which you wish to put before the Commission?—Yes, as confirming the same answer. The Charity Commissioners further say: "Our increasing "experience, moreover, has strengthened us in the "opinion, which we have repeatedly expressed, in "favour of a judicious relaxation of the law, which, "with more or less strictness, though with some embarrassing uncertainty, either prohibits or confined "within narrow limits all deviations from the trusts "of the original foundations of charities. In our "Report for the year 1868, without entering into "the question how far the intention of founders "ought to be allowed to govern distant generations, we suggested that those intentions would, "in spirit and substance, be more effectually promoted by the abrogation of prescribed details "of administration unsuitable after the lapse of "long periods of time, and that the practice which "enjoins the continued observance of such details, at "the cost of the efficiency and usefulness of the "charity, must be subversive of the object of the "trust. Retaining the impressions we should anticipate, as then, that if all tribunals having power to "establish schemes were enabled to modify any of "the original trusts found, after the lapse of time or "under altered circumstances, to be no longer beneficial to the object of the charity, this wise extension of power would be followed by a progressive "amelioration of the management and extension of "the benefits of endowed charities, which being "effected through existing agencies, and a familiar "course of procedure, would to a great extent be "exempt from such undue distrust and apprehension "as not unfrequently create serious impediments to "improvement. The reasoning in favour of this "suggested modification of the law may be held to "apply with even greater force to future foundations, "which would be created with a knowledge by the "founders of the effect of the new law subjecting the "trusts to subsequent revision." And then they "further remark:—"We have also explained that "after many earnest attempts to give effect to this "important part of the Charitable Trusts Acts, the "conclusion has been forced upon us that the "attempt to procure the establishment of such legislative schemes in opposed cases is vain, and that "our exertions may be more usefully devoted to the "other pressing business in our office than to the "promotion of any such scheme, unless there shall "be a reasonable certainty of its being substantially "unopposed."

804. Then you wish to draw the attention of the Commission to the observations of the Charity Commission in the 21st Report, on pages 4 and 5, as to the desirability of corporations being allowed to remain as trustees of charities at all?—I do.

805. "It must be observed that, according to past "experience, corporations cannot generally be regarded as eligible trustees for the administration of "charities. It has been found that through the use "of a common seal a veil is thrown round the decisions and acts of the individual trustees, which "tends to weaken their sense of personal responsibility, and hence to produce laxity of administration. "There is great difficulty, moreover, in providing "against the misuse of the common seal by insufficiently constituted meetings of the corporate "trustees, or in securing regular renewals of the "corporate bodies with any due control over the "selection of the new members. It is a further objection to these incorporations that neither the "courts nor this board has the power to vary "the constitution given to them upon their creation, "or to divest such bodies (as in the case of an individual trustee), of the trusteeship with which they "had once been clothed. It may be mentioned, as "an instance of the mischief which may thus be

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occasioned, that the important advantage of uniting the several charities of a locality under the management of one body of trustees, might be lost by their separate incorporation. Hence it has been the current of modern practice, in the settlement of new schemes for charities, whether by legislative or other special authority, to substitute, as far as possible, individual trustees for previously existing corporate bodies. This policy has been signally affirmed by the Legislature in the Municipal Corporation Act (5 and 6 William IV., chapter 76) whereby the several municipal corporations dealt with by that Act were displaced throughout the kingdom from the trusteeship of the borough charities in favour of bodies of individual trustees. We may also mention the contrivance to which the Court of Chancery has found it necessary to resort of oppointing boards of managers for controlling at least the acts of the corporate trustees whom it is unable to remove. It is also the almost invariable practice of the Endowed Schools Commissioners in framing schemes for incorporated charities to provide for the extinction of the corporations, and the substitution of individual trustees or governors in their place." With respect to that, have you any opinion of your own as to the desirability of the control of these charities remaining in corporations, which you wish to express?—I support the principle of the Charitable Trusts Bill of last session, which would have handed them over to the charitable trustees.

806. (*The President.*) Just let me ask one question upon that. I understand that the answer you have given refers not exclusively to these City charities with which we are dealing, but to all charities of whatever kind?—It would have a general application.

807. (*Mr. Firth*). You wish in the same matter of their control and limitation to 50*l.* to draw attention to the 24th Report, on pages 6 and 7?—Yes, referring to every report. I say they have not the requisite powers, and cannot deal adequately with them. The Charity Commissioners in that report say:—"In these circumstances we are compelled to recur to the suggestion made by us as long ago as the year 1866 in the report quoted above, that these funds are in effect so far liberated by the altered circumstances of the locality in which they are applicable, as to require re-appropriation to new charitable uses, a work which can be carried out only by some special extension of existing jurisdictions by the authority of Parliament." And they further say:—"Since the passing of the Charitable Trusts Act, 1860, we have repeatedly had occasion to mention in our annual reports, and especially in our 15th, 16th, and 18th Reports, the disadvantage of the restriction imposed by the 4th section of that Act, upon our exercise of the jurisdiction created by the Act. The general nature and effect of this restriction are fully stated in the following passage of our 15th Report:—If the gross yearly income of a charity amounts to 50*l.* or more, our jurisdiction can be appealed to by a majority only of its trustees, or actual administrators, to the exclusion of the Attorney-General, as well as all other parties; and we venture to express our opinion that so absolute and irresponsible a discretion to limit the application of a beneficial law is not conveniently entrusted to private persons. The inconvenience of this restriction will be especially apparent when it is considered that in cases most requiring the interposition of our board, the trustees, who are alone capable of setting our jurisdiction in motion, may be the persons most interested to exclude it. It may be added to this statement (which applies now with special force to the existing circumstances of our jurisdiction), that the restriction in question appears to be foreign to the practice of the Court of Chancery in charity matters, which it was, we believe, the object of the Act to make the basis of the new jurisdiction thereby vested in the Commissioners. The rules of that practice permit all persons interested in a charity to invoke the assistance of the Court to correct abuses in its administration. But the practical effect of this restriction is found to be, to deny to all persons interested in a charity which falls within its limits, a resort to the cheap, simple, and expeditious remedies against the defective administration of trusts, which are created by the Charitable Trusts Act of 1860. But the direct abuse of charitable trusts is not the only mischief for which this restriction forbids the remedy. The jurisdiction of the Court of Chancery, transferred to our board by the 2nd section of the Charitable Trusts Act, 1860, includes the power of making orders in charity matters under the Trustee Acts 1850 and and 1852, upon the application, either of any person benefically interested in the trust estate, or of a duly appointed trustee. It was one of the main objects of those Acts to facilitate the appointment of trustees, and the transfer and vesting of trust property, where a trustee, either solely or jointly possessed of the trust estate, was incapable or inaccessible, or where his existence was uncertain. But in the case of charities, the gross annual income of which exceeds 50*l.*, the exercise of this remedial jurisdiction is frequently obstructed by the operation of the restriction imposed by the 4th section of the Act of 1860. A direct consequence of this restriction is, in many cases, that the existence of the very mischief which the Trustee Acts were designed to obviate, operates to prevent the application to that mischief of the jurisdiction created by those Acts. For where the trustee whose disability or other incident of his relation to the trust forms the ground for an application to the Court under the Trustee Acts, happens to be either a sole trustee or a co-trustee with no more than one other person, it is obvious that no application can be made to the Commissioners by a majority of the trustees in compliance with the requirements of the 4th section of the Charitable Trusts Act, 1860. We continue to entertain the opinion so frequently expressed in our previous reports that the removal of this restriction on our jurisdiction would be attended with distinct public advantage, and would obviate much of the disappointment and delay which now embarrass the attempts by individuals to invoke our assistance to remedy glaring misapplication and waste of charity funds."

808. With respect to the question of accounts and returns, you wish to draw attention to the paragraph on page 4 of the 25th Report, which shows that those are imperfectly supplied now?—Yes, and that they have no power of audit, one of the most essential powers omitted to be granted to them. In that report the Charity Commissioners say:—"In our 14th Report we laid special stress on the fact that the obligation to make returns, and a liability to have that obligation enforced, induces accuracy on the part of administration of charities in the discharge of their duties. We are of opinion, however, that this advantage would be more certainly secured if further provisions were made by law for giving increased publicity to these statements of accounts when thus rendered. By section 61 of the Charitable Trusts Act, 1853, it was enacted that the statement of account and balance sheet thereby required, should, in the case of every charity whose gross annual income for the time being should not exceed 30*l.*, be delivered, and sent by the trustees of the charity to the clerk of the county court to which the charity was subject, or of the county court for the district adjacent; or, in the case of a charity whose income exceeded 30*l.*, to the clerk of the peace of the county where the charity was established or its property was situated. Besides other provisions for the inspection and obtaining of copies of these accounts, power was given to our board to make such orders and directions as to the delivery and publication of accounts as we should think fit, and thus the fullest publicity as to the income, expenditure, and financial condition of every charity was amply secured. By the Charitable Trusts Act of 1855 these provisions were repealed, and as the

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"law now stands, the accounts of every charity are "required to be transmitted to our office in London, "with the further provision, that in the case of parochial charities a copy of the accounts shall be delivered to the churchwardens to be by them presented "to the vestry of the parish, and to be open to public "inspection. In the case, therefore, of the considerable number of charities which cannot be classed as "parochial, it may be said that little or no provision "is made for ensuring that publicity which appears to "us to be so necessary and so valuable. It is true "that copies of the accounts are or should be sent to "our office and may be inspected there; but to the "many applicants interested in distant charities, and "desiring information as to their condition or administration, but who do not visit the metropolis, or to "whom a payment for an office copy of the accounts "may be a matter of inconvenience, such a provision "is of no use. We think that a recurrence to the "enactment of 1853, to the extent of giving to our "board power to make such orders for the delivery "and publication of accounts of charities, as they "may think necessary, would be highly advantageous "and would greatly contribute to the satisfactory "execution of charitable trusts." The same is repeated in the 29th Report, that is the last one, and which is just issued; and the Endowed School Commission say precisely the same thing in four lines.

809. The Endowed School Commission of 1861?—Yes.

810. The Endowed School Commission say: We "are of opinion that the power of inquiry should "be extended to title deeds by which an endowment "has been created, in whatever hands they may be, "and that it should be such as is now exercised by "courts of law and equity;" that is what you wish to draw attention to?—It is.

811. In question 555, Mr. Pell asked you this: "You stated to the President the different objects "over which you think it might be distributed; do "you still think that the distribution of 1,000,000*l.* "a year, a portion among hospitals for the poor alone "(the qualification being poverty, not disease), and a "portion among provident institutions, would not be "in the end a source of very great moral harm to the "people?" and your answer was, "No, it is their "property, and I simply ask that it should be given "back to them; for instance, if they had Christ's "Hospital to-day, instead of another class, they are "entitled to it, it is theirs; or if they had the "Charterhouse" and St. Paul's; do you wish to give any fuller answer as to that?—I want to bring forward Mr. Pell as a witness in favour of my contention in respect of a very interesting memorandum he gave to the City Parochial Charities Commission on the use of surplus funds of this kind for provident purposes.

812. This memorandum of February 1880 deals with that question: "Assuming that in many parishes "the charities are out of all proportion to the needs "of the locality, and that after these have been "adequately satisfied a large surplus will remain for "distribution, I am of opinion that this surplus in "each case should be brought into a common fund, "and administered by a newly created authority, for "the general benefit of the metropolitan poor; with "this limitation, that the fund should be so applied as "to encourage any legitimate effort which the poorer "classes may be themselves now, or hereafter, making, "to meet the wants and attain the objects which the "founders of these charities had in view, where these "may be in harmony with the conditions of society "in modern times. In other words, that provident "institutions supported by the poorer classes should "have the first claim on the fund. One exception "might, I think, be made in favour of the acquisition "and preservation of open spaces in the neighbourhood of the districts crowded with the homes of the "poor. I think the report should have distinctly "and emphatically condemned the application of the "charities to the provision of articles of first necessity, such as food, clothing, and fuel, the distribution of which has proved universally mischievous;" is that the point?—No; that the surplus in each case should be brought into a common fund and administered by a newly created authority for the general benefit of the metropolitan poor.

813. Now I will ask you some questions upon the relation of the Companies to the Corporation which is a corporate body. Is it your opinion that those Companies form an integral part of the Corporation of the City of London?—That is my contention.

814. What historical basis have you for that contention?—I propose to put in as evidence the fact that from 1189 till to-day, every Lord Mayor of London is a member of a City Guild or Company, and would not be eligible for the office if he were not a member of such a Guild; and that he is elected in Common Hall composed of the Liverymen of the City of London, and that that has gone on for 700 years in unbroken succession.

815. Beginning with Henry Fitz-Alwin, in 1189 (which is the date of legal memory), the first 26 Lord Mayors were members of the Drapers' Company?—Yes. That is stated in Mr. Orridge's book, called "Some account of the Citizens of London and their Rulers," in which he sets out the successive mayoraltie from the date I have mentioned up to within a year or two of the present time. Of course, I can complete it, and show that up to the present time it has maintained the same form.

816. Are you aware that it has been always the contention of the Corporation of the City, that the Livery Companies were an integral part of it, and subject to its jurisdiction?—I have here a book published by the Corporation itself when Sir William Rose was mayor, with the addresses and remonstrances presented from the City, and petitions to the Throne from the Court of Aldermen, the Court of Common Council, and the Livery in Common Hall assembled, for a century, ending in 1860. I have marked every one of those where the term is expressed, "the Mayor, Aldermen, and Livery." I have specially marked one or two where they raise the contention against the Crown, as in Wilkes's time, and they assume the privileges that they possess as an integral part of the Corporation, and where they otherwise set out how else they may approach the Crown by Lord Mayor, by the aldermen in their inner chamber, by the mayor, aldermen, and council in their Common Council assembled, and the mayor, aldermen, and livery in the Common Hall, which is the meeting of the electors, the base and root of the Corporation. They are all set out here to the extent of 100 years, ending in the reign of Queen Victoria, and the address on the death of the Prince Consort.

817. The history of the method in which the Corporation has approached the Throne by petition, I think, shows that they have approached it in three capacities, which may be taken to be illustrated in the last case in 1861. The court of mayor and aldermen in the inner chamber, the court and mayor, aldermen, and commons of the City of London in Common Council assembled. And the meetings of the Lord Mayor, aldermen, and liverymen of the several Companies of the City of London in Common Hall assembled?—Yes.

818. Are you aware that those three methods of approaching the Throne have been in use for a very long period in the City of London?—I have over 200 illustrations of them.

819. And that on the last occasion, on the death of the Prince Consort, the Corporation, in those three capacities, approached the Throne with condolences?—Yes.

820. Upon three days during one week?—Yes.

821. (¹) Have you read the address presented on behalf of the Lord Mayor and the livery companies in common hall in 1775, in respect to an answer of the King?—Yes, in the reign of King George III.

822. With respect to what the rights of the liverymen were?—Yes; and I think it is very important that that should be read, because it sets out in the

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(¹) *See* Grocers' Statement, p. 273.

strongest possible form that they are and they claim to be an integral part of the Corporation.

823. Is this it :—"The King has directed me to give notice that for the future His Majesty will not receive on the Throne any address, remonstrance, and petition but from the body corporate of the city. I therefore acquaint your Lordship with it, as chief magistrate of the city, and have the honour to be, my Lord, your Lordship's most obedient humble servant, HERTFORD. Grosvenor Street, April 11, 1775. The Right Hon. John Wilkes, Lord Mayor of the City of London." This is the answer to that, signed by the Lord Mayor :—"It is impossible for me to express or conceal the extreme astonishment and grief I felt at the notice your Lordship's letter gave me, as chief magistrate of the city, 'That for the future His Majesty will not receive on the Throne any address, remonstrance, and petition but from the body corporate of the city.' I entreat your Lordship to lay me, with all humility, at the King's feet ; and as I have now the honour to be chief magistrate, in my name to supplicate His Majesty's justice and goodness in behalf of the livery of London, that he would be graciously pleased to revoke an order, highly injurious to their rights and privileges, which, in this instance, have been constantly respected and carefully preserved by all his royal predecessors. The livery of London, my Lord, have approved themselves the zealous friends of liberty and the Protestant succession. They have steadily pursued only those measures which were calculated to secure the free constitution of this country, and this your Lordship well knows has created them the hatred of all the partisans of the exiled and proscribed family. They form the great and powerful body of the Corporation, in whom most important powers are vested ; the election of the first magistrate, the sheriffs, the chamberlain, the auditors of the receipt and expenditure of their revenues, and of the four members who represent in Parliament the capital of this vast empire. The full body corporate never assemble, nor could they legally act together as one great aggregate body, for by the constitution of the City, particular and distinct privileges are reserved to the various members of the Corporation, to the freemen, to the liverymen, to the common council, to the court of aldermen. His Majesty's Solicitor-General, Mr. Wedderburn, was consulted by the city in the year 1771, respecting the legality of common halls, and the remonstrances of the livery ; in conjunction with Mr. Serjeant Glynn, Mr. Dunn, and Mr. Nugent he gave an opinion, which I have the honour of transcribing from our records :—'We apprehend that the head officer of every corporation may convene the body, or any class of it, whenever he thinks proper ; that the Lord Mayor for the time being may, of his own authority, legally call a common hall, and we see no legal objection to his calling the two last ; we conceive it to be the duty of the proper officers of the several companies, to whom precepts for the purpose of summoning their respective liveries have been usually directed, to execute those precepts ; and that a wilful refusal on their part is an offence punishable by disfranchisement ?' "—That is the extract.

824. (1) (2) (3) I will leave that branch, as to the action of the City, and ask you one further question ; have you read the decision in the case of the refractory Companies in 1775, when between the Corporation and the Goldsmiths' Company the question was contested ?—Yes.

825. (1)What was the effect of that decision ?—The Companies were found to be in the wrong, and that they were an integral part of the Corporation, and it is fully set out in your own book, "Municipal London."

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826. At the present time the Companies exercise the powers which are alluded to in the address which I have read of the Lord Mayor in 1775 ?—They do.

827. Now with respect to the charters of the Company, I should like to ask you this : You have, I think, for some time advanced a very important contention as to the effect of these charters, having regard to some provisions in Magna Charta itself; can you tell me what those are ?—The City in every one of their published works take credit to themselves for the part they took as to the agreement with the Prince of Orange (which was afterwards confirmed by William and Mary as the Bill of Rights), that they thereby preserved and maintained the liberties, charters, and franchises of the City of London and the Companies, but there is a very important reservation there which, if you think fit at some later period to refer this question to the Law Officers of the Crown, you will find to be of supreme importance. By the Act of William and Mary, they only confirm that which they "lawfully had." That may be colourable language to hold in reserve some important contention, but when it is read by the light of Magna Charta there is no doubt that the whole of those charters were bad ; that the King had parted with his right to grant charters, and that they are *ultra vires.*

828. Upon what section of the Magna Charta do you rest that contention ?—The 16th.

829. "Furthermore, we will and grant that all other cities, and boroughs, and towns, and ports shall have all their liberties and free customs ; and shall have the common council of the Kingdom concerning the assessment of their aids, except in the three cases aforesaid" ? (1)—The "three things aforesaid" included three Feudal Aids. The right of search granted in the charters is not consistent with liberty of trade ; the right of search was granted, and is bad, and if that is bad the charter is bad, and I fall back upon simply their municipal rights ; I say that they are simply municipal bodies, and if this is argued as it should be, and must be, I suppose, before it is done with, before some great officer of State, that contention I think, could be maintained ; at all events it is thought so by a very great many able men who have thought upon the question, that they are simply municipal bodies.

830. I understand you to quote the Act of William and Mary to show that there has not been, at any rate through that Act, any parliamentary title given to the companies ?—Only as they lawfully had it before, and if it were not lawful there was an end to the whole thing. The question was, in fact, put before me as to whether the then Law Officers of the Crown used this as colourable language. I presume for the purpose for which it was used it was good, so far as they lawfully had it they granted it, but they granted nothing more than existed, and they have nothing more than existed, and if it were nothing, then they have nothing.

831. Is this the clause that you mean :—"And be it enacted by the authority aforesaid, that all and every of the several companies and corporations of the said City, shall from henceforth stand and be incorporated by such name and names, and in such sorts and manner as they respectively were at the time of the said judgment" (that is the judgment quo warranto of 1684), "given, and every of them are hereby restored to all and every the lands, tenements, hereditaments, rights, titles, estates, liberties, powers, privileges, precendencies and immunities which they 'lawfully had' and enjoyed at the time of giving the said judgment" ?—Yes, and the "lawfully had" is in inverted commas.

832. Is there anything further which you wish to say with respect to the validity of the charters at the present time ?—No, but after the doubt which has been thrown out, it might be proper, perhaps, simply to say, supposing the question arise and have to be taken in greater form, that I possess at every one of the places marked by those little slips of paper evidence of control, either by the Crown or the City

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(1) *See* Grocers' Statement, p. 273.
(2) *See* Observations of Goldsmiths' Company, p. 305.
(3) *See* Clothworkers' Observations, p. 336.

(1) *See* the Goldsmiths' Memorial, p. 304.

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over every Company of the City by what they are pleased to call "exactions of the Crown"; in the 1st vol. of "Herbert's History of the Twelve great Livery "Companies of London," pp. 47, 55, 105, 113, 114, 117, 159, 177, 179, and pp. 213 to 22C, but I have no wish to press so voluminous a matter if it be not thought proper to-day.

833. As to the validity of the charters, you advanced a contention just now which was not taken down by the shorthand writer; would you state what that was with respect to the effect of the cessor of trade by these Companies?—My contention would be that if they had only been trading companies, then when they ceased to trade there was an end of their charter, and that Parliament must have decreed new Uses, or the property must have gone to the heirs of the original donors of the property, if they could have been found. Then there remained the municipal franchises, and so long as they have that, they are permitted to exist under their charters if their charters be valid, but if the recommendations of the Commissions of 1837 and 1854 were adopted, and their right to the franchise taken away from them, they would cease to exist as companies, and the Crown and Parliament must settle the new devolution of the property. That is following the contention I put forward the other day, that in no case can a single thing they possess be considered private property, even to the last postage stamp in their office.

834. You have told us the grounds on which you contend that they were public bodies; is there any other ground upon which you contend that they are public bodies, besides that of their being municipal bodies?—(1) No, only as part and parcel, as I have said before, of the Corporation, because they meet in common hall, and are the very root of that Corporation.

835. Have you any evidence that you wish to give with respect to the area over which the chartered rights of those companies extend?—The Commission have that in their own hands in these reports before them, by which they will see in the case of every company that they are not limited to the City area. Some go over the whole kingdom, others three miles round, others 10 miles, some 20 miles, some 24 miles. That I could make out as a table if you would allow me, because it is a little interesting as showing the position of one or two of the companies whose returns you have, and I could put that in as part of the evidence; in no case is it limited to the area of the City only.

836. You have raised some rather difficult questions with regard to the legal position of these companies in relation to Magna Charta, the effect of the Act of William III. and the effect of the cessor of their trading operations; is there any suggestion which you could make to the Commission, embodying your opinion as to how it should be dealt with?—Whether any value could attach to my opinion or not, I have thought right to put forward contentions held by a large number of persons, and I should most respectfully suggest that a case should be prepared for the opinion of the Law Officers of the Crown, or that some important lawyers of eminence should be called upon to give an opinion upon the points raised.

837. (*The President.*) What points do you refer to?—Particularly as to the existence of the charters at the present time, whether they are valid, whether if they be not valid, and the companies ceased to be municipal electors of the City their charters will expire, and whether when they ceased to trade their charters would also have expired except that they had the municipal right.

838. (*Mr. Firth.*) You are aware that there exists a vast body of evidence extending over centuries, of the control by the Crown and by the City of these companies?—I am, and I have it here.

839. Without going through hundreds of instances of this kind, in what form can you present the evidence of such complete control to the Commission?—That is very difficult to say, when I have marked so much of that evidence.

840. Does it extend to the extinction of the Company, to the election and control of its officers, and the settlement of its byelaws?—You mean the powers of the City Corporation?

841. Yes?—Yes, certainly, and even to their disfranchisement.

842. The disfranchisement of the members, the extinguishment of the Company, and the settlement of byelaws?—That right has been asserted in the Court of Aldermen within the last few years by the objection of Sir Andrew Lusk to the conduct of a company in the election of persons whom he called faggot voters.

843. Is that the Fan Company, or the Needlemakers'?—The Needlemakers', I think.

844. With respect to the extension of the livery of those companies, have the Court of Aldermen recently claimed the right of regulating the numbers?—I am not specifically aware of that.

845. Perhaps you can prepare some evidence for the Commission?—I can make a brief analysis by reference to the pages of Herbert's "History of the "Twelve Livery Companies of London," which is, of course, a standard book, and well known to every City man.

846. As you have made reference to the law officers, I may ask you, could you make any suggestion as to any means by which there might easily be obtained the opinions or evidence of liverymen upon the subject of this inquiry?—I think what was done in 1834 would be useful to suggest now, namely, that the Commission should meet in the City at the Guildhall, and invite the liverymen to attend and give evidence.

847. In that case I think the result was not very encouraging, was it?—It is not encouraging to the Commission to do it, but I think it would be as well to do it, so that no contention might hereafter arise that they had not the opportunity to attend and give evidence.

848. Might not you extend the invitation to the commonalty and freemen as well?—Yes, I would extend it to all persons who were dwellers in the City, and who were pleased to come.

849. Perhaps I may ask you whether, in your opinion, the Commission in the examination of witnesses should have further power than exists at present?—My great desire before the Commission was appointed was, that it should be a Statutory Commission and not a Royal Commission, because this Commission falls short of the real powers which, I think, it should have, as will be seen when you make an analysis of the accounts which are presented to you. However admirable and full they are, I think you will want information which you could only get by being able to call upon the clerk or some other witness to attend on your order, and not merely at your request. I refer particularly to a parallel case, that of the Winchester Commission, which was presided over by Lord Brougham. The contention in that case was set up that their charters were secret; but that Commission had parliamentary power, and Lord Brougham told them that if they did not return within an hour with their minds changed he should commit them. That was a power which brought forward most important evidence, and evidence which would never have been otherwise received, and that is a power which you have not got to-day.

850. I will ask you only one other question of procedure. You have had some opportunity of examining the returns sent in by the Companies in answer to our questions, have you not?—I have.

851. But I think you have not yet had time to prepare the complete body of evidence upon the subject?—No, I have gone very much through them. They are most admirably prepared, and, I think, with the greatest frankness and candour, but they require a much larger analysis than I have been able to make, and put to you in very few words. As part of your work you are to give an idea of the value of those estates. If I begin, say with the Goldsmiths' Com

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(1) *See* Goldsmiths' Memorial, p. 305.

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pany, and I take the property in Lombard Street, occupied by Glyn, Mills, and Co., I find that it is a lease dated from 1828, at a ground rent of 180*l.* To get a possible idea of the value, I have to look to the reversionary interest which is coming into effect within a very short time of a property which ought to be rated at some 6,000*l.* or 7,000*l.* a year. That is one case, but taking property let at ground rents of 2, 10, 25, and 50 years, Mr. Warr has put them at about 20 years' purchase, clearly they should be at 27 or 28 years' purchase; I could get it out in schedules fairly enough to give a general idea of the total value, but it cannot be done in a day or two.

852. But you are preparing for the Commission evidence upon that subject, and therefore I had better pospone the examination until that is ready?—Yes, I have prepared many sheets upon that subject.

853. (*Sir Sydney Waterlow.*) Taking your last answer first, you consider that Mr. Warr is wrong in assessing ground rents having a period of say, 15 to 30 years to run, at 20 years' purchase?—I do. Some of them would fetch 50. Some were sold the other day at 45 years' purchase. I have referred to the rent reserved in 1828 on one property which to-day is rated on the books of the parish at about 1,000*l.* a year, the reversion of which will fall in in a comparatively brief period; and then they come into the 7,000*l.*, or whatever its then annual value may be.

854. May I take your answer to mean that you would take 27 or 28 years' purchase as an average of the ground rents generally?—Clearly. Good ground rents, such as the companies possess. I am not referring to suburban ground rents. You might even go to 30 years' purchase.

855. Do I understand you to suggest that this Commission should have statutory powers to compel persons to give evidence, those persons being members of the livery companies?—Yes.

856. How do you reconcile that with your statement which followed that the companies had given most full and ample returns with the greatest frankness and candour?—I think it is perfectly reconcilable. So far as they have given them, it is so; but if you look at it you will see where the defects are. For instance, they put the rental, the number of years lease, and then they are asked whether they have had a valuation of this property, and although they have a surveyor, there is no valuation. Then they are asked to give the rental gross and net, the money they receive; that they do not give. This information some of the larger companies have given, and all of them could do it, but it is a most important guide in estimating the value. If they let a place at a rent of 180*l.*, and it be rated at 1,500*l.*, we want to know what was the building lease or the consideration for so small a rent with so large a rating.

857. You do not imply for a moment that the companies have given any improper evidence or false evidence?—I am not here to make an imputation.

858. You suggest rather that they have not given sufficient evidence?—I am not here to make an offensive imputation. I say we have got an immense volume of facts and evidence of permanent value. Suppose it be subsequently decided that my contention is wrong, and that they are private bodies and not public bodies, we do not care two straws about its value; then it is their property, and let them have it. But suppose my contention be right that it is public property, we have a most important schedule of property to take possession of in the public interest; when I come to that I want a little more information than they have given me, but I make no imputation whatever.

859. I think I may say, with the Chairman's permission, that the companies have not been asked, with one or two solitary exceptions, for any information that they have not supplied?—I am looking at the want of better information.

860. (*Sir N. M. de Rothschild.*) Do you not think we all understand pretty well that property in the City increases in value; we take the present annual income of the companies and know that there is a gradual increase, and do not require them to detail that, because it is a thing so palpable?—But you have it in the schedule, and some companies have returned it, and it is most instructive as regards the value, but others have not done so. Then of course I know the growth of this City property as well as any man living, but when I get a remarkable case like that of Glyn's at 180*l.* a year, the property being rated at under 1,000*l.* when it is worth at least 6,000*l.* or 7,000*l.* a year, I think it raises a good many contentions, if we want to go into minute detail, if the company has returned the true answer.

861. (*Sir Sydney Waterlow.*) Then the company having returned the true answer, you think it the function of this Commission in consequence of information they receive, to raise the question as to whether the assessor of taxes in the City has properly assessed the property or not?—I say it raises that contention.

862. You say that that is the duty of this Commission?—I do not, but I say that that is a fact, and that the City's contribution to the poor fund is largely inadequate.

863. You have told the Commission, I think, that in your opinion the Crown and City have power to exercise very large control over the companies, even to the extent of altering and varying their bye-laws at the present time?—Yes, they have. (1)

864. Can you give any illustration within the last half century of the exercise of any such power?—Not within the last half century. Herbert deals with it up to 1836, and I will give you a schedule from his book, if you like.

865. Has not the position of the companies in relation to the City of London very materially changed during the last two centuries?—(2) Do you mean that there have been a less number of men of eminence connected with it, and fewer Lord Mayors?

866. No; have not the City ceased for nearly two centuries to exercise any marked or powerful control over the management of the funds or business of the livery companies?—I think that is very likely.

867. Can you quote any instance in which the Corporation of London, as a Corporation, have materially interfered in the management of the funds of the livery companies in the character of the interference that existed two centuries ago?—No, there is no necessity for my doing so. They elect the Lord Mayor, by virtue of their suffrage rights, and vote for him and the most important officers.

868. Then do I understand you to rest your assertion that the companies are an integral part of the Corporation simply upon the fact that they elect the Lord Mayor?—What more do you want?

869. I am asking you whether you rest it upon that?—I was doing so.

870. And you are satisfied?—They have elected the Lord Mayor, the Chamberlain, the Bridge Masters, and held common hall at fixed dates, as they have done for centuries, and never ceased to exercise municipal authority within the City.

871. Are you satisfied to rest your assertion that they are an integral part of the Corporation upon that connexion?—More, I also rest it on the fact that they have elected the Lord Mayor for 700 years. I have set out the addresses to the Crown in which they have asserted their rights, even to the extent of being received by the King on his Throne, not in the ordinary way of Levée, because they are an integral part of the Corporation. I have read those addresses.

872. Is it not the fact that while there may be a ceremonial connexion and a political connexion betwen the companies and the Corporation of the City of London, that there is practically no connexion which gives the Corporation power to exercise any control over the administration of their funds?—I should say that that is a delusion, in whosoever mind it is fixed.

873. Have not the livery companies for the last century exercised an absolute control over the disposal and

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(1) *See* Ironmongers' Statement, p. 352.

(2) *See* Ironmongers' Statement, p. 352.

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management of their property, without interference on the part of the Corporation ?—Very likely; it is within their privileges, except the Corporation please.

874. If purchasers of real property belonging to the livery companies had thought that the Corporation had any power of control over their property, would they have purchased, and thought they had a good and sufficient title ?—I do not know that they have purchased; I should be very sorry to hear that they had, except under the compulsory powers of Act of Parliament.

875. Are not you aware that the livery companies have sold real property without any interference on the part of anyone, and given good titles, and made good their titles in the courts of law continually, during the last century ?—I have heard you state it, and I take you as the authority for it; otherwise I do not know it.

876. You are not in a position to contradict the assertion, are you ?—No, certainly not; I am very sorry to hear that they have been selling. I know the Bakers and Stationers have sold property to the Skinners, and that the Skinners have paid for it and invested it again.

877. Are not you aware that the companies have dealt with large and small pieces of real property belonging to them in the same manner as private individuals ?—They would have to do it for public improvements.

878. I mean other than by the exercise of compulsory power ?—No, I am not aware of it.

879. Would you be astonished to hear that it is so ?—I am not astonished at anything when you say that so broadly. I am sorry to hear it, but I think it raises the contention that they should not be allowed to do it.

880. You have called the attention of the Commission to-day to the reports of the Charity Commissioners asking Parliament, from time to time, for further powers for dealing with charities over 50*l.* a year can you point to any statement in any one of the roports which seems to indicate that that refers particularly to the charities managed by the livery companies ?—Certainly not.

881. Can you point to any specific complaints of the Charity Commissioners of the management of the charitable trusts by the livery companies ?—No, there is no necessity for it.

882. But surely if there are no complaints, the question of further powers cannot refer to the livery companies ?—The Charity Commissioners say that in so far as you have sent in returns to them they are satisfied, but they have no power to make you send in any return of property over 50*l.*, but they are not satisfied that they have not that power, and I ask for them to have that power.

883. Can you refer to any statement of theirs showing that they are not satisfied with the trust properties in the hands of the livery companies ?—Certainly; that very statement is sufficient to show that they are not satisfied with their powers to deal adequately with those things.

884. Does not that statement refer to many thousand charitable trusts throughout the whole of the country ?—Of course it must. They were a charitable Commission, I believe, for all England, and the greater includes the less.

885. You have told us that you are of opinion that the charities should be handed over to the official trustees; I suppose you mean vested in the official trustees ?—As provided by the Charitable Trusts Bill of last year.

886. You do not contemplate that the management of those charities should be handed over to the official trustees ?—No, but that the property should be in the hands of the official trustees; the property held in fact by the Government—by the nation.

887. Can you point to any instance in which the livery companies, being trustees of charitable properties, have objected to the property being vested in the official trustees ?—I have no chance of knowing it. I complain of the administration by them of their trust in this, that where a small sum was given (say, two or three centuries ago), which then represented the entire income of the property, you still distribute amongst the poor, or the freemen, as the case may be, that modicum, but the greater income you claim as private property. I say it must go to the same public uses as the smaller sum.

888. Are you not aware that the Charity Commissioners have from time to time investigated a large number of such cases, and that their decisions in the matter, whether confirmed by courts of law or not, are now being acted upon, and that the Charity Commissioners have themselves allowed the sum which was allocated to the charity to be redeemed, and the property realised ?—Yes, I have heard of it with regret.

889. And that they have done that after a careful investigation of all the legal rights ?—We differ as to that legal question altogether. I say we have not had the decision we ought to have as to whether the property, having been originally devoted for public uses, can go into the private exchequer of the Company.

890. Do I understand you to say that you consider the Charity Commissioners have not exercised a wise discretion in that respect ?—I have already said so, and I think they have failed in their duty in that respect.

891. Are you aware that the Charity Commissioners, by the Act of 1853, have an absolute discretion as to whether they should allow a compromise of that kind, or not ?—Yes.

892. And whether it should be the specific amount originally left, or whether it should be an increased amount ?—Yes, I know they have that power.

893. I will read to you the words of Clause 25 of the Act. "The said Board shall have the authority
" upon such application as aforesaid to authorise the
" sale to the owners of the land charged therewith of
" any rentcharge annuity, or other periodical payment
" charged upon land, and payable to or for the benefit
" of any charity or applicable for charitable purposes
" upon such terms and conditions as they may deem
" beneficial to the charity" ?—Kindly read the limitations again; it is not general.

894. The point I want to put to you is this: that as the Charity Commissioners have discretion to determine what the amount shall be, whether you object to their decisions in the cases in which they have so determined and have adjusted the amount payable to the charity, and the amount to which the Company is entitled for its corporate purposes ?—If they have a rentcharge of 10*l.* or 6*l.*, it might be sold with their sanction for 300*l.* or any similar sum; that is perfectly legitimate, but they are not selling the income of the property plus the 10*l.* a year. If you notice the words there, you will find they refer to an annuity, a rentcharge, or a quit rent, or something tangible in the market.

895. Do I understand that you demur to the decisions of the Charity Commissioners in the cases brought before them in which the rentcharges have been redeemed ?—I say you are giving a larger interpretation to that clause than it is possible to give. You want to make it general instead of special.

896. I do not want to give any interpretation to it ?—I object to your interpretation.

897. Do you object to the interpretation which the Charity Commissioners have put upon the clause, and to the decisions which they have given under that clause ?—I do not know what it means in your view and your way of putting it. I know what it means in my own mind. Those are fixed quantities that they are selling—rentcharges, tithes, annuities, and so on.

898. In question 521, this was put to you: "You
" mean that the funds of each guild should be in part
" applied to provide for decayed members of the
" trade connected with it. (A.) Yes, that was their
" original purpose." Do you mean to suggest to the Commission that the companies should, out of their funds, pay pensions to decayed members belonging to the old trades, leaving out in the cold artizans and persons working in new trades which have come into force, such as the iron and steel trades and the textile manufactures, rather than to distribute their money

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in promoting technical education, which would be an advantage to all trades ?—I object to their present scheme of technical education. I think they are in too great haste. I think it ought to have been begun in the school board with children of 10 or 11 years of age, rather than in the way it is being done; but I would have the money distributed either by the Corporation, on whom the property might devolve, or the Commissioners to whom it might be entrusted, on rules they might lay down; and, as a matter of course, that would include the growth of all modern trades.

899. You do not want them to limit it to decayed members in connexion with the particular guilds ?—There is another answer of mine in which I have said so, but it is not so big a sum as some gentlemen here seem to think. A million pounds per annum is only 5*s.* per head per annum of the population of London.

900. In answer to Question 523 you suggest that part of the money should be given to the extension of hospital accommodation and the training of nurses. Are you aware that nearly all the leading companies are very large and liberal contributors to almost every one of the metropolitan hospitals ?—Of course I am.

901. And that they give many thousands a year to the hospitals ?—Of course.

902. Do you think that that portion of their funds could be better distributed by some other body than it is now distributed ?—That is not the question. The question is, is it their's to distribute, or is it our's, and if our's, can we not distribute our own money on rules that we should lay down ourselves.

903. The question whether it is theirs, I presume, the law has decided from time to time ?—I say that it has not.

904. In answer to Question 530 you say, "I see by " the papers that they make an income of 700,000*l.* " a year, but my own impression is, that it is con- " siderably over a million;" do you mean to suggest that the companies have not made a faithful and proper return ?—You do not seem to follow that answer that you have got there in the Keeble's case, which I took to be a sort of test. They return Keeble at 9*l.* 2*s.* a year; that property consists of No. 8, Old Jewry, with Grocers' Hall Court behind, and the hall of the Grocers' themselves.

905. Excuse my interrupting you, but I want to bring you to your own answer ?—There is my answer. Is the 9*l.* 2*s.* a year there returned the rent or the full value of the property ?

906. The companies return the amount which they receive. I will put it in this way: do you suggest that they have returned 700,000*l.* a year as their income when they ought to have returned 1,000,000*l.*, and that they know it ?—(1) You will not take my answer. If you will let me give you the book and turn to the Grocers' Company you will see the whole thing set out. In the first schedule of property of the Grocers' Company you will find Keble's Trust. That is part of Grocers' Hall, as I say, and they put down the little figure of 3,000*l.* a year there, whereas No. 8, Old Jewry, lets at 3,360*l.*, one sixth of the whole; and then there is the hall behind and Grocers' Hall Court, and their entrance in Princes Street, and the property they sold to the Bank of England, in Princes Street. What does that represent? If we had these gentlemen here and asked them questions about it we should change the face of those returns.

(1) 907. I will ask you as to Keble's benefaction. Was not Keble's benefaction subject originally to certain superstitious uses, which were redeemed by a payment of 20 years' purchase to the Crown; and was not their title confirmed by an Act of Parliament of the 4th year of the reign of James I. like the title of other lands of the City companies ?—It does not say so in Herbert (page 356, Vol. I.).

908. Is it not held as part of the corporate property in consideration of this payment out of the corporate funds of the Grocers' Company ?—No; I have here what Herbert says.

909. Is not 9*l.* 2*s.* the annual sum charged for charitable purposes upon the property, and has not a Charity Commission fully investigated the whole matter, and given that as their decision, and sanctioned the present condition of things ?—One of my contentions is, that that decision is wrong. If Keeble left 9*l.* 2*s.* there is no power in any man to divert the surplus income of that two centuries after, when it has grown to a much larger sum. It is left to the poor, and must go to the poor.

910. Although the Charity Commissioners have confirmed the payment of 9*l.* 2*s.* only, you think they are wrong, and that legally a much larger sum ought to be paid ?—Certainly they are wrong.

911. If that is so, should not the Company have been reached by legal process ?—(2) Who is to begin all this ? The Attorney-General began Donkin's case, and won; the Attorney-General began the Wax Chandlers' case, and won that; but where are the funds to come from, until we get the municipality to take them by the throat and to deal with them.

912. Would you contend that property which has been left for superstitious uses, and redeemed by the payment of money, is not the corporate property of the Company ?—It is corporate, of course, but not private. I do not care whether it is for superstitious uses or not. I say that every atom of their property, whatever it is, is public property, and that the term private cannot be applied to it.

913. I must refer you to the Grocers' returns, and until they are challenged I must ask you to accept them ?—This is the return of 1834; I will look at the more recent ones as against that.

914. I turn now to Question 541; Mr. Pell asked you what constituted the membership of the working men's club which prepared the resolutions which were presented to the committee, and you stated "Certain monthly subscriptions," may I ask whether the working men's clubs possess any more exact views as to the guilds and members of the guilds with respect to their property than you yourself possess ?—I think they possess the same, and that it is equally accurate.

915. Have you read the cases of the Attorney-General *v.* the Fishmongers' Company in the Preston case, and of the Kenworth Charity and the Attorney-General *v.* the Grocers' Company ?—I do not know that I have. I have read Donkin's and the Wax Chandlers', which are leading cases, but I have not read those you have mentioned.

916. And in which the decisions were in favour of the Company ?—I am not quarreling with the fact as to the decisions, but I say these questions have not been properly argued except in two or three cases, and those we won. The law has been administered as to the public trust as if it were a private one. We consider that it is wrong, and I know that several members of the Charity Commission agree with me.

917. Are you aware that in the case of the Wax Chandlers' (Kendal's Charity), the Master of the Rolls, Lord Romilly, and Lord Chancellor Hatherley decided in favour of the Company and against the charity ?—I do not think you are right.

918. That was afterwards appealed against, and the decision was reversed, is not that evidence to be considered ?—The fact is we won in Kendal's case, and they had not the pluck to go to the House of Lords.

919. Are you aware that out of 100 cases, 80 have been decided in favour of the Company ?—Sir Richard Cross said so the other day.

920. Is not that some evidence that if the Companies have made a mistake in law they do not make intentional mistakes in misappropriation of their property ?—So far as the contention goes, that they went to the courts to administer so much of the money as they call "trust," the decisions are to be accepted; but when it is contended that the surplus of that, they

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(1) *See* the Grocers' Statement (p. 269).

(2) *See* the Memorandum of the Merchant Taylors' Company (p. 264, *infra*). *See also* the Report of Sir R. Cross, Sir N. de Rothschild, and Mr. Alderman Cotton.

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may take into their corporate trust and call it private, I say the law has decided no such thing; the law has decided that it is corporate property, and it cannot be any other.

921. Are you sure that the words are not "private property"?—It is very possible, but it is a contradiction in terms.

922. Are you aware that the Companies, as a whole, paid to King Edward VI. 18,700*l.*, which was a very large sum of money at that time, as the price of the property dedicated to superstitious uses?—What does it matter? what remains must be corporate however invested.

923. And that the title to the land so bought has been confirmed by Act of Parliament?—It is money going into the coffers of the Corporation, and it is corporate; it does not matter to me how they get it, or where from.

924. I take it you consider that the issue which the Commission has to consider is the question of whether the corporate property is now properly applied or not?—I do not care about that; I am asking, you see, for a change of administrators, because it is corporate property, and seeking to change the corporators. I fall back upon the 92nd section of the Municipal Reform Act, which we had here the other day, which shows that the natural heir to that property is a new reformed Corporation.

925. Do I gather that you ask that the property of the livery companies should be handed over to other persons to be administered?—I say it must follow; it must go to the new Corporation when it is created.

926. Do you think that is just to persons who have acquired their rights and privileges in recent years by purchase?—They pay about 7,000*l.* a year, and the purchase is a wonderfully good investment.

927. I do not understand you?—The total sums of money paid per annum by members of the bodies comes to about 7,000*l.* a year. If you wanted a life interest out of it I suppose we should have to give it you in some form, if it were a matter of compromise; but I say when you paid your money into these companies you knew what you were doing, and you knew what the body was; you also knew that their property was corporate property, to be kept for corporate uses, and I claim it as such. I have nothing to do with your parting with your money.

928. Have you a right to make that assertion? I will give you one example. I paid 300*l.* at the age of 50 for the privilege of becoming a member of a company; do you not think persons in that position, who brought into the company, assuming the existing state of the management, to be recognised by the law, might consider that that was a thing on which they could rely?—They should have inquired into the title, and seen whether they had a right to admit, or whether, when the money got into their coffers they could get it out again.

929. Do you not think those who bought were entitled to regard that recognition of the management by the law as some guarantee for paying their money?—No, they knew that they were corporations.

930. Do I understand you to admit that persons who have bought in, and are now living, should have compensation?—I did not mean to give that as a specific answer when I said that we might, for the sake of peace, give something, though they were not entitled to it; no doubt, when we come to settle the question, some compromise may be made.

931. May I take my own case; I paid nearly 300*l.* at the age of 50 to become a member of the Clothworkers' Company, taking the probable duration of my life, do you say that that would entitle me to the return of that money?—I do not say that it would entitle you to any return whatever. You went and put your 300*l.* in; it went into a sieve; you have got a certain body (in the election of whom you have no voice unless you happen to be one of them yourself) to manage it. The livery have no power over that money; it is corporate property, and they could not part with it at all.

932. You think, because I have invested 300*l.* in the membership of a company which had existed upon certain recognised rules and regulations, undisturbed by the law for the last century, that I am not entitled to be compensated if the management of the property is disturbed in such a manner as to take away my privileges?—If we reform that Corporation you are not entitled to any compensation.

933. Then I presume that that answer of course would cover the case of all persons who have obtained their position by patrimony or in any other way?—Of course.

934. That you think would be fair, and could not be regarded as confiscation of private rights?—I can give you no other answer, in the case of a corporation; if it were a benefit club it would be different.

935. I am speaking of the livery companies?—They are corporations.

936. In the case of the livery companies you think all persons having rights and privileges, whether by redemption or patrimony, ought to have them taken from them without compensation?—They are not entitled to compensation; but I say that no doubt some mode or means would be found of meeting cases of that kind, so as to have an amicable settlement and avoid a great dispute. Commissioners, I have no doubt, would be appointed to set out how to deal with those cases. I do not go into that case; it is too small a question in so large a matter; really, I am looking to the property.

937. In reply to Questions 562 and 563 you call the attention of the Commission to what is known as the Bradbury's Charity, asserting that the return was only 30*s.* a year?—That is the Mercers', I think.

938. Yes, and that it was 109 acres in extent?—Originally.

939. Are you not aware that the amount, instead of being 30s. is, as given in the Mercers' own return, 9*l.* 10*s.* a year?—In Lord Robert Montagu's return it is 30*s.* It is rated on the books of St. Martin's parish at 27,700*l.* a year at the present time.

940. That is the rateable value of the property, not the value of the ground rents?—Of course we have no evidence as to what ground rents they have got.

941. Is it fair to take the value at which property is assessed to the poor, and say that is the value of the ground rents payable to the freeholders?—No; let them set out their ground rents, and set out their rating.

942. Are you aware that the Mercers' Company have set out their ground rents at 13,000*l.* a year?—The Mercers' Company is not in any of the returns before me; I have it in Herbert. I only know Herbert as to that; he sets out the history of Bradbury's trust; 100½ acres were sold to the City, and 8½ acres remain, and that is as well known a property as any in London.

943. Is it fair to assume that that property was worth 27,000*l.* a year, when as a matter of fact it is only worth 13,000*l.*?—Is that so?

944. It is so?—As a ground rent.

945. If you quote Herbert as an authority for that statement, does not that lead us to infer that we cannot rely upon that, and much of the other information that you give?—It is the Mercers' Company's own information. Herbert's is official; but even if it be 13,000*l.*, I claim the difference between the 9*l.* 10*s.* and the 13,000*l.* a year as available for Bradbury's trust, and not for the Mercers' Company, and I say that claim is a good one.

946. Although the Crown has been paid by the Mercers' Company and the Corporation for that part of the property which was left for superstitious uses?—109 acres were so left, if the figures be correct in Herbert. 100½ acres were sold, some being in Conduit Street, Bond Street, Grafton Street (the street at the end), and on the left Woodstock Street and the whole of Stratford Place. They have the 100½ acres to answer for, whatever they paid to the Crown.

947. Have they not admitted the rental of 13,000*l.*, and the Charity Commissioners agreed that that was only liable to the payment of 9*l.* 10*s.* a year for

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charitable use?—You will not see my contention, which is that the Charity Commissioners are wrong, and that that 13,000*l.* must follow the 9*l.* 10*s.*

948. (*Sir R. Cross.*) Does not that depend upon the way in which the property came to them?—Not when the surplus comes to the Corporation.

949. Do you not remember the judgment of Lord Cairns?—Yes, I do; I put it before you the other day, and when it comes into the company as income it is public income.

950. That is another question altogether, is it not?—It is public income, and cannot be considered as private.

951. (*Chairman.*) I think we are getting into a little confusion, when you say the Charity Commissioners are wrong in certain decisions they have given, I do not apprehend you to mean that they are legally wrong, and that they could legally have given any other decision, but that you think the principle upon which by the law they are compelled to act is not that which ought to be applied to the cases of Corporations; am I right in putting that construction upon your answer?—No, the Corporation being a public body, as I contend, the money must go to public uses, and as near like the original uses as possible.

952. In short, in the case you mention, whether the Company has a legal right or not to the funds in question, you consider that it has not a moral right, is that your distinction?—No, I take it the words legal right to mean established legal right. It has the right to pay 9*l.* 10*s.*, but not the right to put the other part of the income into its coffers. I say that that income must be equally applied to public uses, the Company being a corporation.

953. (*Sir R. Cross.*) I think you said that the particular charity which was entitled to the 9*l.* 10*s.* would be entitled to the 13,000*l.* a year also?—No, I say that it should be applied to the like uses.

954. What you mean is to get it quite clear, that the 9*l.* 10*s.* must go to the particular charity, and that if the 13,000*l.* goes to the Corporation under the decision of Lord Cairns, the Corporation can only use that for some public trust, not for their own purposes,—that is what you meant?—Clearly.

955. (*Sir S. Waterlow.*) Following out Sir Richard Cross' question, does not that really involve the whole question of whether, whatever property the Livery Companies have they have no right to exercise absolute control over it, dealing with it as they see fit?—That is the whole contention.

956. (*Sir R. Cross.*) That is your whole case in fact?—Yes, we want a new departure.

957. (*Sir S. Waterlow.*) As regards this particular Bradbury's trust you are willing to admit, as I understand, after the decision arrived at by the Charity Commissioners, that assuming the Corporations to be entitled to that which they thought and paid for out of their corporate funds, they are now appropriating what by law they are required to appropriate to trust purposes, and only dealing corporately with that which the law has permitted them hitherto to deal with?—As a Corporation that is quite right. You have ear-marked all that property, it is at the present time corporate property, and we now know all about it.

958. Is it not a fact that the 100 acres which the Mercers' Company lost out of the 109 acres were conveyed from the Mercer's Company by an Act of Parliament in the reign of King Henry VIII., and have not been held by them since that time, and that the Company have had no control over it at all?—I am not blaming them, I only say it mysteriously disappeared. Herbert tells us in his book that the City bought it under an Act of Henry VIII.

959. How can you call it a mysterious disappearance when openly known to everybody by the Act of Parliament?—We did not find that out for a very long time; we have had most important hints as to its arising out of church property in Conduit Street.

960. You cannot impute any blame to the Mercers' Company can you in reference to it, assuming that they have the right to deal with their corporate funds?—I say they have that right only for the like uses to which that 9*l.* 10*s.* a year was left.

961. That is the main question, is it not?—Yes.

962. The Mercers' Company cannot be blamed for what they have done in the matter can they?—Why should not they do what is right?

963. They contend, of course, that they have the right to deal with their own property and that is the whole issue?—That is a matter which you gentlemen are here to say something about hereafter.

964. In question 567 you refer to the operation of the law of mortmain as regards the livery companies, I presume that your objection is a fiscal one?—Largely, but of course there is the other objection, that I do not like to see land locked up unnecessarily.

965. With regard to the fiscal part of the question, can you point to any company that has ever objected to a consideration of what they ought to pay in consequence of their not paying succession duty, and is it not a fact that two of the companies—the Clothworkers' and the Goldsmiths'—have in their reports suggested that some payment should be made by the companies in consequence of their not paying succession duty?—Yes, there is that, but it is a death-bed repentance.

966. Would that remove your fiscal objection?—No, my objection of course is to any land being held in mortmain at all. If you get rid of fiscal payment every 30 or 35 years, you do not get rid of the fact of land being locked up in the market.

967. I think you objected to the companies not continuing their connexion with trade, are you aware that there are some of the companies which still carry on the trades with which they were originally connected?—I think we had that all out last examination in connexion with the Apothecaries' and Gunmakers'.

968. I have looked over the report of the evidence given last time, and I should like to ask you whether you are aware that the Stationers' only elect members of their own body or members of their own trade?—There is another argument put forward by the Goldsmiths' Company, namely, that they ought to represent the public also.

969. I ask you whether you are aware that the Stationers' Company only elect members connected with their own trade?—Yes, the Stationers' are a small Company chiefly dealing in old almanacs, and having some privileges in regard to copyright, for which they charge fees.

970. Do they not still carry on their trade in the publication of almanacs?—Yes, a small trade.

971. That is some evidence, is it not?—If the publication of Old Moore's Almanac is a great and beneficent purpose of a great City Company, I agree that it is some evidence.

972. Do they not exercise powers under the Copyright Act?—Yes, for which they charge fees.

973. Do you question the legal right of the Companies to divide among themselves, if they thought of it to do so, their private corporate property?—They have no private corporate property.

974. I thought we agreed those were the words used by the judges?—I said it was a contradiction in terms.

975. I refer to what they call their private property, as distinct from their trust property?—They cannot have any right to distribute it among themselves, it is public property.

976. Are you aware of the case of Brown *v.* Dale, which was tried before the Master of the Rolls in the High Court of Justice on the 21st of March 1878, in which the contention as to the right of the Fullers' and Dyers' of Newcastle-upon-Tyne, to divide the whole of their property amongst the then members of the guild was raised?—No, I am not aware of it.

977. I call your attention then to the decision of the Master of the Rolls in that matter. The Master of the Rolls there says, "Yes, it is a common trade "guild, and they have absolute control over the pro- "perty. These trade guilds are common enough, or

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“ were at one time, singularly common. There were many thousands of them, which have now disappeared, they were clubs, or voluntary associations, or members of a craft or trade, and they dealt with their own property as they liked without any trust whatever. They had a right to do so, and this property must be divided accordingly” ?—That does not touch our case in the least, which is separate from that of the Corporation of Newcastle.

978. If the livery companies have not absolute right to deal with their property, how do you reconcile the fact that the courts have recognised their rights and have admitted their power to deal with it by confirming conveyances of all kinds within the last 50 years ?—Then they must re-invest the proceeds. So long as the corpus does not go out of the Corporation, I do not mind if the court assent.

979. If they do not assent, what then ?—Then I say it is a fraud if they do not.

980. I gather your answer to be, that if properties have been so sold, and the proceeds have not been re-invested for the same purposes, it has been a fraud ?—Certainly. I do not know of any instance. I regretted to hear what you said as to its having been done. I was almost thinking that it had not been done, and that they were so honourable that they would not do it. If every case stand upon its own footing and you will let me know of any such case I shall be very happy to answer your question. My point is that the money is divided. In the case of the Leeds Corporation the sale had taken place before the Municipal Reform Act of 1835.

981. Question 670, referring to technical education runs thus :—“ You spoke of technical education, and said you do not approve of it as at present commenced ?” In reply to which you say, “ No, I take the view of Professor Huxley that sufficient inquiry had not been made, and that the matter was jumped forward to appease the demand of public opinion for something.” Are you aware that before the Livery Companies did anything in the way of promoting their scheme for technical education they took the opinion of Professor Huxley, and that their scheme is based upon his opinion and his recommendation jointly with the opinions of two or three other professors ?—Yes, Professors Donelly, Armstrong, and so on. I had the document here last time. You will see that in Professor Huxley's letter to the “ Times,” he rather complains that they have departed from their views, but I go further about that. I think they began altogether wrong in this vast expenditure of money before inquiry by men of the same stamp as Professor Huxley, and that they should have begun in our school boards,—I think that technical education really begins there.

982. How can you make that assertion when the Livery Companies in announcing their scheme, printed and published the opinions of those various professors and based their scheme upon their recommendations ? — I must bring Professor Huxley's letter, if you will allow me, to show the variation they made between his scheme and the scheme they adopted.

983. You are probably aware that such men as Mr. Spottiswoode, the President of the Royal Society, and Sir Frederick Bramwell are acting conjointly with the livery companies who propose the scheme ?—Yes, I am aware of that.

984. Is it not a fact that the Court of Chancery has lately recognised the City Guilds' Institute as the best channel through which bequests for the purpose of technical education could be promoted ?—I was not aware of it, I have not followed the legal intelligence lately.

985. But the Court of Chancery in appropriating some charitable trusts on the *ci pres* principle have recommended that the money should be placed at the disposal of the Guilds Institute, and I ask you whether that is not some evidence that in the opinion of the Court of Chancery the scheme has been well prepared ?—That is not evidence that a much wider scheme would not have been better.

986. (*Chairman.*) I should like to ask one or two questions in explanation. I understood you to say that you thought it doubtful whether the charters of the companies would not be found to be legally invalid if the question were tested ?—(1) The extract I put in from Magna Charta distinctly states that the King will not grant charters against the privileges of the citizens, and certainly it was against their privileges to give a right of search against any trader, and the Bill of Rights expressly regrants the charters, “ so far as they are lawfully good.”

987. Has that question ever been tested ?—Not to my knowledge.

988. Has there not been every opportunity of testing it for an indefinite time past ?—I think not ; they have ceased to trade and therefore so far as the offensive character of their charters is concerned there was an end of it. For two centuries and more they have not traded, except as regards the small things to which Sir Sydney Waterlow has referred. But the words are in inverted commas, and it seems to me a sort of mental reservation. Of course there are lawyers who have paid great attention to the subject. I only refer to it so that their opinion might be obtained. The words are to the effect that they so far confirmed the charters which they “ lawfully had.” My contention is that they had some unlawfully.

989. Do you think it likely that any court of law would determine that a charter which had been acted upon for 200 years, and more, was invalid from the beginning without any substantial alteration ? Would it not be held to have become valid by long usage ?—The Court might decide that, but I say, if it were bad in the commencement nothing could make it good.

990. (*Sir R. Cross.*) Is that a tenable point now ? —I am told that it is a good point.

991. (*Chairman.*) You spoke of its being desirable to take other means to obtain the evidence of the companies than those existing at present. Do you not think that it would be premature to suggest the use of compulsion until we know that the information we want will not be voluntarily given ?—We did suggest it before the Commission was granted, and you will remember Sir William Harcourt's answer was, that he would try this means first, and as you have a large mass of information given to you, you were probably wise in doing so, but I should have liked a Statutory Commission. That is only my view.

992. (*Mr. James.*) If you had a Statutory Commission, how do you think it would have been possible by having statutory powers to produce the evidence ?—I do not think it would have produced it ; on the contrary, I think that it would very largely have extended it ; you would then have the power to send for persons, books, and papers, as I instanced in the case of Winchester College and Lord Brougham.

993. You cannot compel or force people to speak, can you ?—Lord Brougham did so somehow ; he threatened to commit them if they did not.

994. Have you ever read a pamphlet on the reform of City guilds, by Mr. John Robert Taylor ?—Yes.

995. There are a variety of personal and other charges made against members of the companies in that pamphlet, are there not ?—That is the one in which he attacked Alderman Owden, is it not ?

996. It is, but there are a good many charges against the companies and those connected with them. Do you know whether those charges were correct or not ?—They were never replied to. I do not know whether that may be taken as an inference that they were correct. The parties concerned may have thought them too bad or too mean to reply to.

Adjourned to Wednesday next at 4 o'clock.

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(1) *See* the Goldsmiths' Memorial, p. 303.

SIXTH DAY.

Wednesday, 3rd May 1882.

PRESENT:

THE RIGHT HONOURABLE THE EARL OF DERBY, CHAIRMAN.

HIS GRACE THE DUKE OF BEDFORD, K.G.
THE RIGHT HON. VISCOUNT SHERBROOKE.
THE RIGHT HON. SIR RICHARD ASSHETON CROSS, G.C.B., M.P.
SIR NATHANIEL M. DE ROTHSCHILD, BART., M.P.
SIR SYDNEY H. WATERLOW, BART., M.P.
MR. WALTER H. JAMES, M.P.
MR. PELL, M.P.
MR. THOMAS BURT, M.P.
MR. H. D. WARR, *Secretary*.

(1) MR. EDWARD JAMES WATHERSTON was called in and examined as follows:

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997. (*Chairman.*) I need hardly ask you whether you are a member of the firm which bears your name at No. 12, Pall Mall East?—I am.

998. Your firm are goldsmiths and silversmiths, are they not?—Yes.

999. And I think you are a member of the Goldsmiths' Company and a liveryman?—Yes.

1000. If I am rightly informed, you took up your freedom by patrimony at the age of 21?—I did.

1001. And you were elected to the livery 18 years ago?—I was.

1002. As a liveryman, you take no part in the government of the Company?—Not the slightest.

1003. We know that you have written on the subject of the duty on plate, and I understand that you have been of opinion for a long time that the connexion between the Goldsmiths' Company and the crafts is detrimental to the interests of the crafts?—I am decidedly of that opinion, so far only as relates to their compulsory powers over the crafts.

1004. I presume that you express that opinion upon general grounds of policy founded on what you conceive to be the proper limitations of the functions of the State?—Certainly.

1005. And I think you gave your opinion upon that subject generally before the Select Committee that sat on the question of hall-marking four years ago?—I did.

1006. Your objection, I take is, is twofold. In the first place, you object in principle to a compulsory interference with your craft, and in the next place you object to that control being exercised by a self-elected body of men, who have no personal knowledge for the most part of the requirements of the business?—I do.

1007. One of those objections, I presume, would apply even if the Goldsmiths' Company were composed entirely of members of the trade?—Undoubtedly. The interests of manufacturers and workmen and of dealers are altogether different. Such a body might do much good as a trade council, but they should not be permitted to assume compulsory powers.

1008. Can you tell us how many members of the court or the governing body of the Goldsmiths' Company at present are craftsmen?—I regard only four of the members of the court as craftsmen.

1009. I understand there are two other members of the court who are claimed as being craftsmen, but you do not admit that in strictness they are entitled to that designation?—That is so.

1010. Therefore, according to your view, there are only four members of the Goldsmiths' Company and according to their view there are six members to represent the interests of the craft?—Yes; I should say to misrepresent.

1011. And I think we may take it from you that there are something like 14,000 licensed members of that craft?—That is about the number; there are just under 14,000 members.

1012. And that does not include the workmen whom they employ?—No; and supposing a firm to have two or three partners, it would only include one out of the firm.

1013. I understand that you, at a not very distant date, endeavoured to obtain from the Company information regarding its affairs?—I did in February 1878, by a letter addressed to Mr. Prideaux, the clerk, of which the following is a copy:—"Dear sir,—"Might I venture to ask you whether as a liveryman "I am entitled to the following information respecting the Company of which I am a member? I "desire to know (1) the names of all members elected to the court since January 1st, 1827; (2) the "dates of their admission to the freedom, of their "election to the livery, and of their election to the "court; (3) their professions or occupations as "described in the books of the Company; (4) the "mode in which they took up their freedom, whether "by redemption, patrimony, servitude, or special "grant; (5) the names of all members of the Company admitted to the freedom by redemption during "the 30 years ended December 31st 1877, their professions or occupations; and (6) the names of the "four wardens for the years 1827 to 1877, inclusive."

1014. May we ask you what was the object with which that letter was written?—(2) Undoubtedly to disestablish the Company. I earnestly desire to terminate the compulsory connexion between the Company and the crafts. It will be no easy task. In the present block of Parliamentary business it will be most difficult to introduce such a reform as I think desirable. But if my contention be right that by the mode in which they have elected the court, and more especially in their appointments of wardens, they have forfeited their charters, my task will be easier. Their charters direct that the wardens shall be "elected by the trade," and that they shall be "true, honest, and sufficient "men, best skilled in the said trade." Of course they are not "elected by the trade," and had I had the information sought for, it would have proved beyond dispute that, during the last half century, first, that only on rare occasions was there a "skilled" warden; secondly, that on many occasions all four wardens were utterly unskilled; thirdly, that the practice of admission to the Company by redemption had provided that the greater number of the present court owed their election to purchase; fourthly, that the status

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(1) As to this gentleman's evidence, *see* the Memorial of the Goldsmiths' Company to the Commissioners, dated November 1882, page 302, *infra*.

(2) *See* the above Memorial.

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and position of those gentlemen who have been admitted by redemption were the sole qualifications for membership; and lastly, that but very few craftsmen were among the number. I may add that I entertain the conviction that their charters are legally forfeited by the mode in which they have constructed the court of wardens, and, directly the duty upon gold and silver plate shall have been abolished, it is my intention to challenge their right to compel me to obey their laws, or even the Acts of Parliament themselves which were clearly passed upon the faith of those charters. Even to raise such an issue, right or wrong, would go far to break the back of such mischievous laws as now beset my trade.

1015. Why do you consider it necessary to wait for the repeal of the duty on gold and silver plate before you can raise that legal question?—Because as long as the duty prevails the Hall mark is a safeguard to the revenue; and again, with regard to the duty, we are liable to the excise department of the Government. But with regard to the Hall marking laws the Government have nothing to do; they are simply in the hands of the Goldsmiths' Company. I wish, therefore, to wait until the taxation has been abolished.

1016. But if your objection be directed to any compulsory interference to your trade by any company, no matter how organized, is it material from that point of view to show that the Goldsmiths' Company does not, as a matter of fact, represent the trade?—I think it is highly desirable to show that, because it will go far to get the law altered so that that trade may be perfectly free, like other trades.

1017. We only want to get at your opinion, but as I understand it, if the Company were so altered that it really were composed of men for the most part skilled in the trade, still that would not remove your objection to compulsory interference?—No; I should object more strongly to the Company being composed entirely of craftsmen.

1018. Then, in that case, I presume that the manner in which the Company is composed can, from your point of view, be a matter of no importance to you?—When their compulsory powers are taken from them, it is of no importance to me in the least.

1019. In point of fact you have come here to argue that particular point, that you think a compulsory power of interference with your trade, whoever exercises it, is undesirable?—Exactly so.

1020. You would have no Hall marking and no tax?—I desire to have no taxation of my trade, but I do desire that Hall marking should be a voluntary institution, not, as now, compulsory. I also desire that it shall be carried on in a manner very distinctly different from the present plan. It is very much better done in France, where it is done by what is called "the touch," and not by "the scrape and parting assay" as it is in this country. The Hall marking is admirably done in France, and very badly done in this country by reason of the antiquated manner in which it is conducted.

1021. (*Sir R. Cross.*) You object to it altogether in either country, as I understand, as a compulsory institution?—As a compulsory institution, most decidedly I do.

1022. What evil does the compulsory system work, or how does the compulsory system work in regard to your trade?—The compulsory system is a complete protection to the trade in this country. It prevents the importation of any foreign plate for the purpose of sale, and it works very badly as shown by the very small amount of trade done in the country. The amount of silver Hall marked during the last 25 years has decreased by about one third, namely, from about 994,000 ounces to 650,000 ounces; it is an absolutely decreasing trade year by year.

1023. (*Chairman.*) That, I presume, you ascribe mainly to the tax, or do you ascribe it to the tax and the system of Hall marking together?—To both, but more especially to the duty.

1024. (*Sir R. Cross.*) The tax has more to do with the decrease of trade than the Hall marking, has it not?—The Hall marking, I should say, has a very bad effect seeing that it would keep men out of the trade. Men will not take their capital into a business which has legal restraints upon it; it is against the principle of freedom of trade that there should be any compulsion whatever attached to it.

1025. (*Chairman.*) Do you mean that there is a certain amount of annoyance and vexation caused by the process that has to be gone through?—Yes, you can hardly form an idea of the annoyance that is caused by it. The goods have to be sent down under certain regulations, they have to be there at a certain time in the morning and to be fetched away again at a certain time in the afternoon. Then I may tell you a very extraordinary fact connected with it. Supposing I were to send down to the Hall, say half-a-dozen teapots, half-a-dozen sugar basins, half-a-dozen cream ewers, candlesticks, or anything else, what is called a parcel of goods; supposing that by malice or by accident on the part of the workman a little bit of the rim of one of the smallest pieces was found to be defective the result would be, you would think, that they would break up that small defective article and mark all that which was not defective.

1026. (*Sir R. Cross.*) You mean defective in the quality of silver?—Defective in the quality of silver, You would think they would break up that one article and mark all the other articles that were not defective, and return the article that was defective to you. The very contrary happens. They break up the entire parcel; that is the habit with the Goldsmiths' Company, I believe by law. I have had cases brought before me where a man has lost 24*l.* or 25*l.* in workmen's wages alone, by having an entire parcel broken up. That must operate as a great restraint upon trade.

1027. (*Mr. Pell.*) They would only break up the defective article itself, I suppose?—No, they would break up the whole parcel. There was a man who a little time ago had his work broken up in exactly the way I am now describing to you. That certainly operates as a great restraint upon trade.

1028. (*Chairman.*) Then, in point of fact, your objection is threefold. You object to the manner in which this privilege of compulsory Hall marking is exercised; you object to its being exercised by a company which is not, to any large extent, composed of craftsmen, and you object to its being exercised compulsorily under whatever circumstances or by whatever body?—Exactly so.

1029. Reverting to the facts which you stated, I believed you were refused the information for which you applied?—I was. On the 21st of March 1878, Mr. Prideaux desired me to attend at Goldsmiths' Hall. On Wednesday, the 3rd of April, I went and presented myself before the Court of Wardens, and was informed that I was not entitled to the information, and further that it could not be accorded to me by grace for the reason that I had publicly spoken offensively of the Company, referring to remarks made by me as a member of a deputation to the Board of Trade when I was endeavouring to get a select committee of inquiry into the laws relating to the Hall marking of gold and silver wares, the offence consisting in that I had stated that there were but three members of the craft on the then court, and that the four wardens at that time were respectively a civil engineer, a porcelain manufacturer, a stockbroker, and a merchant. That was my offence.

1030. Do I understand it to be your view that the Goldsmiths' Company (and possibly other trade companies) should be again more closely connected with the trade which it professedly represented?—I think that so far as their funds are concerned they should be directed to a greater extent to the development of the industries of the country.

1031. You are aware that membership in these companies has been hereditary, and that therefore for the last 300 years, at least, the great majority of the members have not been practically persons pursuing the trades which are mentioned in the names of the companies?—I am quite aware of that. Many of the companies never within living memory have had craftsmen on their governing bodies, or very rarely.

1032. Then in fact what you propose is not the doing away with the modern basis and reverting to a former condition of things, but establishing a condition of things which has never practically existed, at least in modern times, in connexion with the companies?—Undoubtedly.

1033. I think you have expressed an opinion that a larger proportion of the funds of the companies should be devoted to technical education have you not?—I have.

1034. Will you tell us a little more in detail in what manner you think they ought to be applied?—I should like to see more of their funds devoted to the technical education of goldsmiths and silversmiths. I think that such funds should be applied to the formation of high schools after the manner prevailing abroad, which I may shortly describe as the school in the workshop or the workshop in the school. They should be open to lads from the elementary schools at 13 years of age. General education should then be proceeded with, together with the use and application of tools and machinery; drawing, chemistry, modelling, chasing, engraving, polishing, finishing, &c., should be taught in addition to French and German, which languages are invaluable to art workmen as enabling them to visit with advantage the museums and *ateliers* abroad. In other words, from 13 to 16, I would prepare youths for entrance into the workshop proper by an education mainly directed to the craft for which they were intended.

1035. Would there, in your view, be any difficulty in establishing such schools?—Not the slightest. The London and other School Boards might safely be trusted to work such schools with immense advantage to all trades, if funds were forthcoming for such a purpose. I would refer Her Majesty's Commissioners to the able writings of Professor Silvanus Thompson upon this subject. I have brought some of his writings with me.

1036. There is a movement in favour of technical education now going on under the patronage of the City Guilds. Have you considered that in reference to your proposals?—I have. But it is my opinion that we are beginning at the wrong end. First, we have lost much valuable time, and we must lose more valuable time before any result can be obtained from their technical college now in course of erection. Secondly, I maintain that technical education should be commenced at the earliest possible time, namely, at 13 years of age. The City Guilds scheme is far too ambitious, and in advance of the times, and will be comparatively useless if unaccompanied by schools such as I have described. Many years must elapse before professors have been provided; during all this time an enormous work could be accomplished if common sense alone were allowed to direct our operations, and if theory were, for once, to be allowed to give way to practice. It would be perfectly easy in London, Birmingham, or Sheffield, and other places to provide teachers of the several branches of trades in the precious metals, and all other handicrafts, provided only that funds were forthcoming.

1037. Do you consider that the trade represented by the Goldsmiths' Company is entitled to the benefit of the entire property of the Company?—I have no means of knowing under what conditions they hold their property, but I entertain a conviction that the greater part of it should be devoted to matters appertaining to the crafts. I can imagine no better application of their funds than that of improving the technical education of workmen, not only by schools such as I have described, but also by museums and libraries specially devoted to their instruction.

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1038. Do you think that their work ought to be confined to London?—Certainly not.

1039. You think it should be extended to the country generally, do you?—Certainly.

1040. There is at present, I believe, a contribution by the Company to the Trade Charities; do you know the amount of that?—There are four charities to which they give 200 guineas a year each, making 840*l*. I do not consider that this is in the least degree adequate. They give many thousands of pounds annually to hospitals and other charitable institutions; I do not approve of that. They give 3,800*l*., I believe, to Oxford and Cambridge for exhibitions, and I fail altogether to see under what charter they devote such funds to the technical education of lawyers and clergymen. I do not think that, in the least degree, part of their functions. I may add that some little time ago, I believe, they built a church and endowed it; I do not think that that is a branch of their functions.

1041. In short, to put it briefly, you consider that the trade craft is morally entitled to the benefit of their property?—The greater portion of it.

1042. (*Sir R. Cross.*) Where do you draw the distinction? I can understand your saying they are entitled to the whole of it, but I do not understand your saying the greater part of it?—I should hardly know what to do with their large income without further consideration. I think that a great portion of it might be devoted to the craft, and really, if you press me, I think that we might say the whole of it might be devoted to the crafts if we were to include Birmingham and Sheffield, and other places where there are goldsmiths and silversmiths.

1043. (*Chairman.*) We shall be glad to hear any further suggestions you wish to make?—I should like to state, in order to show you how little we, as liverymen, are entitled to, even in the way of information, that to-day I wished to bring your Lordship a copy of the oath of the Goldsmiths; I therefore wrote to the Goldsmiths' Hall this morning for a copy of that oath, and I find that they decline even to give that to a liveryman. In reply to my request, I have this letter from them:—" Goldsmiths' Hall, London, E.C., 3rd " May 1882.—Dear Sir, I am unable to comply with " your request without first asking the wardens, " whom I shall see to-morrow. I am, dear Sir, yours " truly, C. R. Williams."

1044. (*Mr Pell.*) It is an oath that you have taken yourself, is it not?—It is an oath I have taken myself, but I have no copy of it, and I, as a liveryman, thinking myself entitled to a copy, sent down to the Hall for it, and on doing so I find that I am not entitled to the smallest possible information, or anything at all.

1045. (*Chairman.*) Have you heard and considered a proposal which has been frequently made that either the whole, or a part of the property of these companies should be applied to the lightening of the rates?—I have heard that, but I have not given much attention to it.

1046. (*Sir Sydney Waterlow.*) Do I understand you that you object to the influence of the Goldsmiths' Company over the craft, only so far as they exercise that influence under existing statutes?—Exactly so.

1047. Could you briefly tell us whether there is any compulsory power exercised by the Company under statute beyond the Hall marking of gold and silver?—None that I am aware of.

1048. So long as the duty is continued I presume you would agree that it is necessary to mark gold and silver in some way or other?—Most decidedly, such goods as are liable to duty, as a protection to the revenue.

1049. Then your objection would narrow itself surely to this point, would it not, that you think the Goldsmiths' Company by their officers do not do it so efficiently and so carefully and fairly as might be done possibly by a Government officer, is that so?—Not

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exactly. I think that they carry on the regulations relating to Hall marking upon the old fashioned principle of years and years ago. I think if they were to exercise their functions more in accordance with the times in which we live that that would be very advantageous to the trade so long as it was a voluntary and not a compulsory institution.

1050. But as their work in that respect is under the statute, can you give any illustration of their having exceeded their statutory powers in the way in which they have performed their work ?—No, I cannot.

1051. Then your objection is to the Hall marking altogether ?—Most decidedly.

1052. Is not that a question for Parliament instead of a question for the company ? So long as the statute remains on the book which requires them to Hall mark gold and silver, are they not performing an obligatory duty ?—They are performing a duty under ancient Acts of Parliament which ought to be abolished.

1053. Is not that a question for Parliament rather than for the discretion of the Goldsmiths' Company ? —Undoubtedly, but then I think they might within the lines of their Acts of Parliament improve the modes of carrying on the work of Hall marking.

1054. Then as regards the Goldsmiths' Company your complaint narrows itself to an expression of opinion that in the exercise of the statutory powers, they do not perhaps sufficiently consider the necessities or wants of the trade, and that they might do so a little more than they do ?—Quite so.

1055. Then it is a very narrow complaint against the company, is it not ?—I am not here to make any grave complaint against the company at all. That is not my object. I desire to get the law altered.

1056. You said there were 14,000 licensed members who pay a license ; that is not paid to the company, is it ?—No, to the Government.

1057. Then is that any question for the company at all ?—No.

1058. Then that is not their fault, is it ?—No.

1059. I think you told the Commission that the company's funds should be expended in the education generally of craftsmen all over the country in connexion with the trade ?—I did.

1060. Are you aware of the large sums which the Goldsmiths' Company have given towards the promotion of technical education ?—I have already, I think, in my evidence, stated that I consider that what they are doing is all wrong.

1061. Are you aware of the amounts that they have contributed ?—Yes.

1062. Are you aware that they have contributed 10,000*l.* down, and that they contribute 3,000*l.* a year, and that they have promised another 10,000*l.* ?—I am aware of it.

1063. Then I think you said that the money should go to promote schools for teaching persons connected with the craft a knowledge of mineralogy, especially in connexion with the precious metals, or words to that effect ?—Yes.

1064. Are you aware that a good deal of their money has gone towards the establishment of a school which is now at work in Finsbury for boys of 13 years of age in connexion with the middle class schools ?—I am aware of it.

1065. Is not that precisely what you are recommending to the Commission ?—It should be done on a much more extended scale, and I may add that the school has only been opened a very short time.

1066. Then I think you stated that it would take a long time to engage professors ; are you aware that under that scheme Professor Laydon and Professor Armstrong have been engaged, and that they are paid a large salary in order to retain their whole services for the purpose really of teaching that which you have described to the Commission ?—I am acquainted with the technical schools abroad, and they are very far superior to anything we have in this country, and therefore very far superior to the school in Finsbury. I do not know whether you are yourself acquainted with the technical schools at Besançon, or Lyons, or of Paris, or many other places on the Continent, but they are carried on with very much more practical common sense than prevails in our own country.

1067. As those schools have been at work for years, and are supported largely by the State, surely it is only fair to give the companies credit for what they are doing, having regard to the limited extent of their funds, compared with the funds at the disposal of the countries to which you have referred for similar purposes ?—Of course ; but the schools abroad are not only well, but very economically managed.

1068. Are you aware that the contribution of the Clothworkers' and Goldsmiths' Companies are not confined to this object in London, but that they take in Bradford and Leeds ?—Not the Goldsmiths'.

1069. Their contributions go to the general funds, out of which the schools are supported, do they not ? —The Bradford school and the Leeds school are supported mainly by the Clothworkers' Company, and they are admirable schools.

1070. I think you will find, if you refer to the accounts in the institute, that they contribute also to other provincial schools. You object to the application of the funds of the Goldsmiths' Company in building a church. Have they not very large estates, and do you not think they were justified in providing churches for the large population that occupy the houses which have been built upon their own property ?—The only excuse I can make for their building a church is that it was done to improve their property, and for no other reason.

1071. Do you not think that landlords have a certain moral obligation to provide religious education, especially a church in a large district which is created at their instigation and under their control ?—I strongly object to any such trust funds being advanced for sectarian purposes.

1072. You told the Commission you thought the funds of the Goldsmiths' Company should be devoted almost entirely to some objects connected with the members of the craft. Is it not a fact that the larger proportion of their property has been given to them or subscribed for by members who did not belong to the craft ?—I have no means of knowing how they obtained their property, but from the little I do know I should say that a greater portion of it belonged absolutely to the crafts.

1073. Does it not arise out of the gifts of members of the company during the last two centuries, and the operation of the system of purchase into the companies by which the funds have been largely augmented ?—That may be, but then I object altogether to their allowing people to purchase their way into the company.

1074. Having obtained the money from such sources, surely those sources are entitled to some consideration in the distribution of the fund, are they not ?—I think the companies have forfeited their charters by the mode in which they have done that. I doubt whether, if pressed, it would be found to be legal for any person to purchase a position by which he becomes a trustee. I think there is very grave doubt whether the money so invested is legally invested.

1075. Probably that is a question more for lawyers than for laymen, is it not ?—Undoubtedly.

1076. (*Mr. Pell.*) I think you said that the Goldsmiths' Company devoted 3,800*l.* a year to the Universities of Oxford and Cambridge for exhibitions, did you not ?—Yes.

1077. Is it your view that that money would be better withdrawn from the universities and devoted to the purposes of technical education through the provinces and in London ?—Undoubtedly.

1078. There are four charities receiving 200 guineas a year also from them, are there not ?—There are the

Goldsmiths' Benevolent Institution, the Goldsmiths' Annuity, and Pension Institution, the Clock Makers' and Watch Makers' Institution, and the Silver Trade Pension Society.

1079. They are all connected with the craft?—Certainly.

1080. Would you also devote that money to technical education, or think that a better application of it?—Certainly not; but I claim that we have a right to fully 2,000 instead of 200 guineas a year for each of those charities.

1081. I think you said that thousands of pounds were contributed to the hospitals?—I have no means of knowing precisely, but I should not be surprised to find that they give away 20,000*l.* a year to charities that were not connected with the crafts in the slightest degree.

1082. Then your objection is not so much to the contribution to hospitals as to hospitals who received people who are not goldsmiths, is that so?—My objection is that that is not a proper mode of spending money belonging to the crafts.

1083. Supposing these very large sums of money were to be devoted to the technical education of children, commencing at 13 and extending up to a period of 16 years of age, as I think you said, do you not think it likely that that might divert people to a business or to a calling for which they would not be naturally fitted, and that you will disturb the natural selection, if I may say so, of the professions of young people?—My hope is to see all the companies eventually providing these technical schools in different parts of London. In such a case a technical school in Clerkenwell would naturally attract to itself the boys of Clerkenwell. The sons of working goldsmiths and working silversmiths would, in all probability, find their way there. In Besançon, for instance (with which most likely some of Her Majesty's Commissioners are familiar), you find that children are being brought up to watch-making to a very great extent, because they live in Besançon, and the schools of Besançon are mainly directed to the instruction of children with the view to their becoming watchmakers; the result is simply this that children go into that line of life as a groove already prepared for them. I should like to see that carried on in London. The result would be that the Clothworkers would have their school in London, the Goldsmiths would have their school, the Haberdashers would have their school, in fact, there would be all kinds of schools and the boys would gradually get drafted into the school for which they were best fitted. Again, I believe what I may call technical elementary schools should be established, the great object of which would be to get children to love labour-saving appliances, to understand tools and machinery, and in fact to handle tools and machinery. The result would be that they would be able to be drafted into any trade towards which they showed the greatest tendency.

1084. That would be naturally a master's view of the case, but would it not be possible that you might overstock the market with employés of these particular businesses? However, I will not press you upon that?—The answer to that is "not if the schools "were properly managed." The Continental schools find no such result. Workmen emigrate. It would be better to glut the world with handicraftsmen than with clerks.

1085. Can you tell the Commission at what period of the history of those companies they began to devote money to what are termed charities in the vulgar sense of the word, hospitals and so on?—No, I am not able to do that.

1086. You cannot say when that practice began?—No, I cannot.

1087. You do not think it was connected with the difficulty of getting rid of their enormous funds in a way that would satisfy public opinion?—I should undoubtedly say that that was so.

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1088. Without reference to the original foundation of the companies and the uses they should attempt to apply the money to?—I should say undoubtedly so. (1) With regard to my own company, I should like to place on record this fact, that only six years ago they were strongly opposed to technical education. I may say that my father is one of the senior members of the Court of the Goldsmiths' Company, and as one of those members he thought proper in the year 1876 to address a letter to his own company, and to the other companies, recommending that they should devote large sums of money to the technical education of the children of the metropolis.

1089. In that particular trade?—Of their particular trade; and with the permission of the Commission, I should like to read that letter:—

"12, Pall Mall East, July 1876.

"To the Masters, Wardens, and Court of Assistants of the [ ] Company.

"GENTLEMEN,

"MENACED, as the City Companies have lately been, with a parliamentary inquiry into the amount of their property and their mode of appropriating it, with all the attendant annoyances of such an inquisitorial proceeding, no one will say that it is surprising that one at least of their members should have looked around him to see whether, to the whole body whose interests are involved, some suggestion may not be made, by which, if acted upon simultaneously, and with hearty good will, the dreaded evil (now only postponed) should be averted, and, possibly, for ever removed. Prompted by these motives, and in the full conviction that the stability of the City Companies will be considerably affected by the manner in which they shall decide upon dealing with the great subject of 'technical education' which has now for so long a time been pressed upon their attention, I have felt it a duty incumbent on me to address my brethren of the court of the Goldsmiths' Company on the subject, urging them to take the matter into their thoughtful consideration, with the view of letting it assume with them larger proportions than it has yet done. And, as this is a question which is likely to affect all the companies so deeply, I hope I may be excused if I venture to lay before your worshipful court the claims which, in my humble judgment, the cause of 'technical education' has at our joint hands, and the way in which, in my opinion, considerations of wisdom and prudence which suggest that they ought to be dealt with. My own company is expending 4,000*l.* a year upon exhibitions to Oxford and Cambridge, open to all comers; but in the face of all this liberality I have ventured to remind my brethren of the court (and I desire most respectfully to remind the courts of those other companies who are equally liberal in the same direction) that it is not simply 'literary and scholastic education' that is demanded of the companies, but 'technical education' (which means instruction in the art and mystery of the respective crafts), that public opinion has set its heart upon, and will not be satisfied until it obtains it on a scale commensurate with the resources of the respective companies. Now, if we seek to inquire (as I think we should do) why it is that this outcry is made for 'technical education,' we shall, I think, see that it is not such an unreasonable thing as many suppose, but rather an undertaking which the enlightened corporations of the City of London should not wait to be forced to, but, patriotically and honestly of their own accord, set to work to perform. The objects which the promoters of 'technical education' have in view may be briefly said to be these:—To improve our manufactures in every branch of industry, so as to enable them to at least compete successfully in point of taste, quality, and price, with kindred articles in the markets of the world, and thereby to maintain in many respects our national supremacy. This, it is affirmed, can only be

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(1) *See* the Memorial of the Goldsmiths' Company, p. 304.

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accomplished by better educated artisans than we at present possess, such in short as are to be found in the workshops and *ateliers* of the manufacturing firms of the Continent, and to whose superiority over ours their great success of late years is very properly attributed. If these be the objects sought to be attained by 'technical education,' and these the only means of attaining them, who is to do the lion's share of the work? Does the duty not seem to belong pre-eminently, by right and title, to the City Companies, whose charters were given them for the express purpose of fostering trade and commerce? Assuming that each and everyone of them had continued carrying on the affairs of their respective trades would they have held back at the present time? Would they have resisted the popular demand now made upon them? And if they would not, why should their successors, on whom has devolved the administration of such princely revenues? Certainly not because by the change of circumstances many of them are laymen and do not understand the respective crafts! That is no valid excuse; it is rather an argument why, in support of their own personal interests in societies, in which they are regarded by many of the public as intruders, they should urge, in the strongest possible manner, upon the members of the trades with whom they are associated in the courts, the wisdom, the justice, the prudence, the absolute necessity of their taking a prominent part in the great national work now before them. The companies individually and collectively may congratulate themselves upon the failure of the late attempt in Parliament to give them trouble and annoyance; but if they desire to prevent the repetition of such annoyance, they must not think that it can be done by attempting to stifle 'public opinion'; that 'opinion' has been plainly and strongly expressed that it will have 'technical education' at the cost of the companies; and any one who reads the signs of the times with the eye of ordinary intelligence cannot fail to see the desirability of giving it. Additional wings to hospitals are good things in their way; exhibitions and scholarships to the universities are equally good in their way; but for societies such as the trading guilds of the City of London, these are not the first duties they are called on to perform. Primarily they were founded for the fostering of industry and invention, and only collaterally for charitable purposes. In the courts of those companies where the members are exclusively laymen, they are manifestly unequal to the task of organising any system for supplying 'technical education;' and even in courts where craftsmen are a minority it would be presumption on the part of that minority to attempt, and bad policy for the laymen to allow them to try, to organise a system which would satisfy the trades. It is too intricate a subject for a mere handful of men to deal with without the assistance of the trades. What the companies should do is this, to take the trades into their counsels, and, with their aid, seek to discover the best means for attaining the desired end, themselves undertaking to furnish the necessary funds during their good pleasure, with the understanding that they, and they alone, in those cases where schools and colleges are established, have the right of presenting the scholars. Thus would a bounden duty be discharged, fault-finding be set at rest, and honour and applause redound to the doers of the work. One thing is certain, that most of the companies, were they only to look around them, would find that much of the work required of them could be done most satisfactorily by other hands than their own, without any trouble whatever to themselves; money, and only money, is wanted to set those agencies in motion. The Clothworkers' have made this discovery, and set a good example by assisting in founding and munificently contributing to the support of a College of Science at Leeds, designed to provide 'technical instruction' in connexion with the textile trades. The Institution of Mechanical Engineers could do good service for the mercers, the weavers, the drapers, the haberdashers, the ironmongers, the builders, and all those manufacturing trades which depend upon ingenious machinery for their successful development. All the resources of chemistry, at the cost of the companies, might be brought to the aid of the Dyers, the Weavers, and all other kindred trades which depend for success upon the beauty of their colours, while the Department of Science and Art at Kensington (which is a truly national institution with great capacities for usefulness) might be utilized in a most beneficial manner by the painters and the paper stainers, the braziers, and brass founders, the goldsmiths, silversmiths, and jewellers, and all the kindred trades which flourish or decay, in proportion to the amount of taste and skill displayed in their several manufacturers; the barber surgeons might possibly contribute some support to medical science; the fishmongers, if they could do nothing to improve our fisheries and oyster beds round the coast, might do good service in erecting and furnishing aquariums, those interesting and instructive exhibitions of the Divine power and wisdom; the grocers and vintners could probably diminish, if not entirely prevent, 'adulteration' by furnishing the means for its cheap and easy detection by the hands of skilful analysts. In short, there is scarcely a company which could not contribute its quota to the general improvement sought to be obtained by the means of technical education, and through its instrumentality to the well being of the community. And, although it may cost many thousands of pounds, who will say that it will not be money judiciously expended, if it prevented, as it most probably would prevent, the annoyance of the 'Royal Commission of Inquiry' with which the companies are threatened? No sensible people, we may be sure, wish to pull down such venerable institutions as the City companies, which have existed so long, and done so much good service; nor have they any desire to deprive them of their legitimate patronage, so long as it is exercised beneficially to the public. But radical reformers who desire to level all alike, have in the neglect of 'technical education,' a great grievance; of this they would be immediately and effectually deprived if these my suggestions were adopted: and no one, I think, can doubt that great good and glory to England would result from such an exhibition of praise-worthy patriotism. Believe me, gentlemen, faithfully yours,

"J. H. WATHERSTON,
"Craft-member of the Court of
Assistants of the Goldsmiths'
Company."

That letter was sent to all the companies, and my father received letters from very eminent persons highly approving of his suggestions; notably from Mr. Barnard, the banker; from Mr. Newmarch, also a banker; from Mr. Hesketh; from the Right Honourable William E. Gladstone; from Mr. Watney, the clerk of the Mercers' Company; from Mr. Jackson, the clerk of the Cordwainers' Company; from the Clothworkers' Company, the Coopers' Company, the Drapers' Company; from the Right Honourable W. H. Smith; from Messrs. Elkington and Company; Mr. Hunt, of the firm of Hunt and Roskell; Lord Hatherley, Mr. Dalton, the Prime Warden of the Drapers' Company, among others; but his own company on the 26th of July 1876 passed the following resolution: "It having been brought to the notice "of the court that Mr. Watherston, one of its members, had recently caused to be printed and circulated amongst the members of the court of "assistants of the City companies generally, a letter "signed 'J. H. Watherston, a member of the Court "'of Assistants of the Goldsmiths' Company,' it "was resolved that in the opinion of this court, a "member of it is not justified in publishing his "opinions in his character as a member of the court "of assistants of the company, without having first "obtained the authority of the court so to do; and "that therefore the action of Mr. Watherston in this "matter is disapproved of." That resolution was, I may tell you, placed on the minutes, and then some few years afterwards they entirely altered their minds, and went in very strongly for technical education, and give, and they now boast of giving, enormous sums in favour of it; but they have never taken this resolution off the minutes of the court to this day. I put that forward to show that my company have woke up to the advantages of technical education very late in the day indeed.

1090. (*Mr. James.*) Is your father still a member of the court?—He is.

1091. All the fees which are paid to the Assay office go to the Revenue, do they not?—No, not the Hall marking fees. The Hall marking fees go to the company. The company have 1 per cent. for collecting the revenue; in Scotland it is 2½ per cent., and in Ireland 5 per cent., and the expenses of the Hall, I have always understood, are greater than the amount of the fees they get for Hall marking, and the allowance of the Government for collecting the duty. The amount of the loss is not very great, say from 50*l.* to 100*l.* a year.

1092. There is no revenue from it?—It is no source of revenue to the company, none whatever. There is another answer to that, there would be a considerable revenue to the company if the trade were not so limited as it is; being a very limited trade there is of course but little business to do in the way of Hall marking. Under a voluntary system of Hall marking the business would increase, and therefore the fees.

1093. In connexion with the position of your father as a member of the Court of Assistants, I hope it will not be considered improper for me to ask you a question, more particularly as the company have made some reference to it in their proposals under the head of "Reform." They say, "It is possible that the com-"missioners may hear of one or two freemen who may "express themslves dissatisfied, but if such there be, "we feel sure that their dissatisfaction may be traced "to some personal ground, such as non-election to an "office, or some alleged grievance connected with the "Assay Office, in the management of which with im-"partiality it is often difficult not to make enemies." Has there been any dispute between your father and the members of the company?—Constantly, for the last 30 years, the reason being that my father is a consistent reformer, and when he became a member of the Goldsmiths' Company he thought it would be his duty to set to work for the internal reform of the company, and he did so; the result was that he was literally boycotted, he was sent to Coventry for five years, and never elected to the warden's chair, and he has never been prime warden of his own company; within my recollection he used to go down and dine at the Hall, and not a soul would speak to him, and that continued for four or five years, because of his being a reformer.

1094. In what sense did his desire for reform arise?—From my own personal recollection I can state that at the time of the 1851 Exhibition, my father desired to give considerable prizes from the Goldsmiths' Company to the trade for works exhibited at that Exhibition, and that gave grievous offence. I do not think I am abusing confidence when I say that one of the members of the court came up to him and said, "Mr. Watherston, you are a very young member of "the court, I strongly advise you not to make such a "proposal as that."

1095. The proposal to offer prizes you mean?—To offer prizes. It was considered quite wrong for him to even suggest such a thing. My father fought this question out in the court, and ultimately succeeded in getting a very considerable amount of prizes for the trade, so that they should go to work in order to try to beat the foreigners in that particular Exhibition—that was his idea. There were large sums (I think I am right in saying amounting to 1,000*l.*) given in prizes.

1096. Did he stand quite alone?—He stood quite alone for some time.

1097. Can you account for the reason why in so very laudable a desire he found no sympathisers?—No, he had no one to sympathise with him in many other useful reforms which he advocated. The result was that when his turn came to be warden he was passed over and never succeeded to the chair. That explains the remarks made in that report, from which you have quoted. I presume that I am the other individual referred to.

1098. Did you take much interest in the movement for the establishment of the Guilds' Institute and the Technical College, which is to built at South Kensington?—I took an outsider's interest in the question certainly.

1099. Do you think that the college at South Kensington is likely to prove of service to the classes whom you desire to benefit?—Ultimately, decidedly; but I want a less ambitious work to begin with.

1100. Would not South Kensington be much out of their reach?—It is quite absurd to imagine that men from Clerkenwell, after their work at 8 o'clock in the evening, will go all the way out to South Kensington to that college. It is quite unreasonable to suppose such a thing.

1101. I am not sufficiently conversant myself with the object of the college at South Kensington; but do you not think that the tendency of building a large college in that part of London is to spend a great deal of money in bricks and mortar, and to have numbers of professors, while the advantages conferred upon the classes whom you wish to benefit are comparatively small and limited?—I am quite of that opinion.

1102. You rather lend yourself to the view that the college at South Kensington is a waste of money than otherwise?—It will be of great use hereafter; but it will be of no use unaccompanied by the small technical schools which I have described.

1103. You think that these schools should be distributed all over London, as I understand?—Certainly. A central college is a grand ambitious scheme, but in my opinion it is utterly useless for the practical work of technically instructing the youth of London.

1104. Do you not think that elementary education is even more important than technical education, or rather that no good technical education can be obtained except upon the basis of a sound elementary education?—Undoubtedly.

1105. Do you not think the elementary education of the middle classes in London at the present time is very deficient in many parts of the metropolis?—I believe it to be a fact that the London School Board can scarcely keep pace with the requirements of the growing masses of London.

1106. Do you mean the middle-class?—The London School Board, I have always understood, can scarcely keep pace with the demand for education on behalf of the masses in London. But little is being done for the middle-class in comparison with their requirements.

1107. If the London School Board cannot keep pace with the demand for elementary education, do you not think that the establishment of schools for technical education may be somewhat premature?—No, I think they should follow on. What I want to see is that the London School Board shall have money placed at their command for technical schools to which they could send such promising children as might get what may be called a scholarship at the elementary schools, passing them on at the age of 13, when they are bound to turn them out of the elementary schools; eleemosynary schools, as I may call them, in which there should be elementary education and technical education combined. In Germany and in France the curriculum of the school is this, the children in the technical schools are getting general education during a certain number of hours a day, and they are taught technical education (which comprises the use of tools

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and machinery, drawing, of course, chemistry, and all such technical instruction as that) at other parts of the day. The result is that, when a boy gets to 16 years of age he has had what I may call all the rough edge of the workshop taken off, and is able to be of use in the workshop; whereas, as you know, if a boy at 14 years of age enter a workshop he is of comparatively no use for years, and his general education is entirely neglected.

1108. I want to ask you one general question with regard to your own particular craft. Do you think the designs of modern plate superior to the designs of old plate?—I think the designs of modern plate at the present day are simply hideous.

1109. That is not a very satisfactory comment upon the existing schools at South Kensington, is it?—It is sad for a silversmith to say such a thing; it is humiliating, almost, to myself, to admit it. It is the result of bad laws, discouraging to art-progress.

1110. Do you think that large contributions or subventions for particular crafts and particular industries will tend to improve them and place them upon a higher level of art, or do you think they will thrive most if left to their own resources?—It will improve the art of the silversmith immensely. You have only to go along Regent Street, and half-way up you will find the shop of Hart, Sons, and Peard, who are in the brass trade. That is, as you know, a perfectly free trade, beating the silversmith out of the field, owing to the restrictions by which the latter trade is beset.

1111. (*Sir Richard Cross.*) Do you attribute that to the taxation?—I attribute that to the taxation of our trade, and to the hindrances by which we are beset.

1112. (*Mr. James.*) Some of the designs on old gold and silver plate of 200 years ago are splendid designs you may say. They had no particular schools in those days, but a workman had to rely upon his own resources, had he not?—Yes, but then they had the advantage of the old apprenticeship system. A master was in the workshop working and teaching himself.

1113. (*Mr. Burt.*) Did you state that there were but four craftsmen connected with the governing body of the goldsmiths?—There are only four that I hold to be genuine craftsmen.

1114. Then of the 14,000 licensed members are you able to state how many are members of the craft?—No, there are 14,000 licensed dealers all over the country, but they have nothing whatever to do with the Goldsmiths' Company. The number of craftsmen on the Goldsmiths' Company I really could not tell you, that is to say on the Court, on the Livery and Freemen. That would be impossible for me to answer, but I do know that the Livery is composed of 150, and that, as a rule, out of 10 liverymen elected they put three so-called craftsmen on. I may explain it in this way, when 10 liverymen are dead, the wardens nominate 15 freemen, and then the Court elect 10 liverymen. They generally upon those occasions elect three craftsmen, or what they call craftsmen, to seven non-craftsmen, so that if you have 150 on the livery you may say that you have about 35 craftsmen amongst that number. But bankers would be included among the number. Of genuine craftsmen, the number would be far less.

1115. Do you know anything about the total amount of salaries paid by the Goldsmiths' Company?—No. I have heard the salary of the clerk.

1116. Upwards of 4,000*l.* is the total amount, I believe. The question I was going to put was whether you think that a fair amount, considering the total income and the amount of work done that has to be done in connexion with the company?—I know nothing about the salaries.

1117. With regard to the broken up work of which you spoke, is it broken up in consequence of its being defective?—The plate is broken up if in the least degree below the standard. That is a question as to which I complain of the law, although I should think the Goldsmiths' Company could, if they chose, very easily get an alteration of that law, by which a large parcel of plate is broken up simply because one small article may be defective. It does not seem, in the light of political economy, to be a wise proceeding to break up 25*l.* worth of workmen's wages merely because one article happens to be wrong. And again, as a political economist, I should say that it should not be broken up at all, but that it should be sold on its merits for what it is worth. I see no good result that can arise from breaking up a work. It seems to me to be a destruction of the wealth of the country.

1118. Do I understand from you that it is compulsory upon them to break up the whole, if only a portion is defective?—By the strict letter of the law it may be so. I should think that an application to the Board of Trade would get that altered in a very short time; by means of a little bye-law or something of that kind it could be altered at once. Besides, I think the Government would leave it to the discretion of the Goldsmiths' Company not to break up plate if it were properly brought before them.

1119. You expressed an opinion that the larger portion of the companies' funds should be used for the development of the crafts?—Undoubtedly.

1120. And you mentioned technical education as one of the objects. Sir Sydney Waterlow put a question to you as to whether a large amount is not now actually paid by the Goldsmiths' Company, and I think you admitted that that was so. Do you entirely approve of the present expenditure for technical education: do you think the money is wisely expended?—No, I do not. I have already stated as my opinion that the money is being wrongly directed.

1121. Do you consider that the property of the Company is absolutely theirs, or that it is held in trust for the use of the craft at large?—I regard the Goldsmiths' Company as trustees of public money which is mainly the property of the crafts.

1122. And I understand that you consider it is necessary that there should be some legislative changes in order to accomplish the reforms that you think are very desirable?—Undoubtedly, and I have for a very long time tried to get legislation, and I hope to succeed eventually. The Government have promised to bring in at the earliest possible opportunity a measure dealing with hall-marking, and they promise a complete reform in the laws relating to hall-marking, and I shall press that question.

1123. (*Sir R. Cross.*) What was the Report of the Committee on Hall-marking? — The Report of the Committee upon Hall-marking was to the effect that the duties on gold and silver plate should be abolished as soon as the state of the revenue should admit. They also reported that the laws relating to Hall-marking were in a very unsatisfactory condition, and they recommend a large number of reforms as soon as the Government could take the matter into consideration, the result being that Mr. Chamberlain has already indicated his intention to bring in a Bill dealing with the subject, and there is very little doubt that we shall get a very considerable change, and in fact exactly what I have been fighting for all along, that is, a voluntary instead of a compulsory system.

1124. (*Viscount Sherbrooke.*) Suppose you carry on this system of technical education on a large scale how would you propose to avoid the possibility of a glut, or the over-doing of the matter, so that there would not be employment found for the people?—I think that that will necessitate a considerable amount of care and discretion on the part of those who are entrusted with the working of the schools, but I should further like to say that the elementary technical education that I propose would fit the children for all kinds of crafts, for this reason, that a knowledge of machinery, a knowledge of tools, and a knowledge of labour saving appliances would apply most distinctly to large numbers of crafts. Therefore

I do not apprehend that there would be any probability of a glut.

1125. You propose to teach them their trade thoroughly do you not; you do not propose to stop at an elementary stage?—No, I do not propose to teach them very highly. You might have a high school, a higher school, and a highest school. You might really teach the entire craft, but my great object would be to work in England entirely upon the lines that they are working upon abroad; that is to say, the workshop in the school, the school in the workshop, preparing the children for work proper wherever they might happen to go according to their capabilities or inclination. For instance, your Lordship knows perfectly well that a great many men bring up their sons to their own trade as a matter of course, I was going to say, whether they are fitted for it or not. They get into their fathers' own crafts and ultimately succeed very well.

1126. Then you do not contemplate making them accomplished artisans or workmen, or whatever it is, but only imparting to them the rudiments?—I want the elementary part of technical education to be imparted, and then by means of scholarships to take a boy up into the lines of the professor; for instance, the great Technical College at South Kensington, which I think is a great mistake at present, will be undoubtedly of vast use hereafter, especially if we have the other schools.

1127. You have no fear of overdoing the thing?—No, I have not any fear myself, none whatever.

1128. (*The Chairman.*) I think I understood you in the earlier part of your evidence to say that you consider that the property of the companies, at least that the great part of it, belonged to the trades?—Yes.

1129. I want to get more accurately your view upon that point. Do you mean that the property does so belong to them in law if the law were properly executed?—I can scarcely reply to that question. I have looked at it more in the light of equity and judge of it from the history of the companies as handed down to us in Herbert's City Companies. For instance, in the Goldsmiths' Company, Sir Martin Bowes, I believe. left us a large property, he was a goldsmith in Cheapside. I really do not know the other benefactors, for I have no means of knowing, but I have always understood that a great portion of their property has been left for purposes absolutely connected with the trade.

1130. When you say the property belongs to the trades you mean that in your judgment what would be morally wrong ought not to be legally right?—That is what I mean.

1131. (*Sir Sydney Waterlow.*) I think you made a mistake involuntarily when you stated to the Commission that it was not till after your father's letter of 1876 that the Goldsmiths' Company woke up to technical education; are you aware that in returns which they have made to this Commission they set out special grants to technical education commencing in 1873, and that in answer to the question as to what they contribute towards general and technical education, their return shows a contribution of nearly 60,000*l.* to those purposes during a period of 10 years?—That question suggests another "What is Technical Education?" For the last 10 or 12 years the Goldsmiths' Company have given 500*l.* per annum for what they call technical education, which is in fact for drawings for silver plate. First of all I have no hesitation in saying that prizes for drawings are not technical education. I go further and say that the money spent for drawings has been a great mistake throughout and ought not to be proceeded with in the future at all. The same pot-hunters go after these prizes for drawings every year. On one occasion I went down to Tufton Street, behind the building in which this Commission is now sitting, to see the prize drawings of the Goldsmiths' Company. They had been there for about three weeks, and I was the second man in the trade who put in an appearance to see them. I have no hesitation in saying that I would not have taken them away *en bloc* as a lot if it had involved the cost of a half-crown cab. And year after year the same thing has gone on. Lately they have been put into a little corner at South Kensington Museum. They have never been carried out on any single occasion, that I am aware of, and no person in the trade attaches any importance to them. Therefore I maintain that if they return that particular 500*l.* a year as having been given for technical education, the Goldsmiths' Company do not understand what technical education is.

1132. In order to correct another point, let me ask you whether you are aware that the technical school in Finsbury is within a mile of Clerkenwell?—Yes, I am aware of that.

1133. Are you also aware that in that school the boys are now being taught the elementary technical education which you recommended, a knowledge of machinery, and a knowledge of the use of labour-saving machines?—I am perfectly aware of that, but that was only commenced about two years ago. The companies are being driven into doing their duty, and I hope the result of this inquiry will make them do more than they have yet done. It is much needed.

Adjourned to Wednesday next at 4 o'clock.

SEVENTH DAY.

Wednesday, 10th May 1882.

PRESENT:

THE RIGHT HONOURABLE THE EARL OF DERBY, CHAIRMAN.

HIS GRACE THE DUKE OF BEDFORD, K.G.
THE RIGHT HON. VISCOUNT SHERBROOKE.
THE RIGHT HON. LORD COLERIDGE.
THE RIGHT HON. SIR RICHARD ASSHETON CROSS, G.C.B., M.P.
SIR SYDNEY H. WATERLOW, M.P.

MR. ALDERMAN COTTON, M.P.
MR. WALTER H. JAMES, M.P.
MR. PELL, M.P.
MR. JOSEPH FIRTH, M.P.

MR. H. D. WARR, *Secretary.*

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MR. WILLIAM HENRY WILLIAMSON was called in and examined as follows:—

1134. (*The Chairman.*) I think you appear here as the representative of the London Fish Trade Association?—Yes.

1135. Are you a liveryman of the Fishmongers' Company?—I am.

1136. We understand that you are prepared to tell us something as to the relations that exist between the Fishmongers' Company and the trade which you represent?—Exactly.

1137. Will you kindly inform us whether you think the present state of things satisfactory, and if not, will you state your reasons?—The present state of things, from the point of view of the trade, is that it is very unsatisfactory indeed, and with your permission I will review our position, with the aid of a few notes that I have here, as briefly as possible.

1138. (*Mr. James.*) May I ask how far you may be taken to represent the fish trade?—My object in handing in a book of the rules and a copy of our report was simply to show the authority of our Association in approaching the Commission.

1139. (*The Chairman.*) I understand that a correspondence has taken place between the Fishmongers' Company and the Association you represent?—Yes, there is some correspondence, and I will read it to you presently. In referring to our rules and second annual report, I would respectfully draw the attention of the Commission to Rule 18, to the report of the past year, the balance sheet, and the list of our members. We, as a trade, complain of the neglect and abandonment of the trade by its guild. First, in having done but little for the benefit of the trade within the memory of those at present engaged in it. Second, by raising their fees to such a prohibitive scale for those engaged in the trade. Third, by the facilities given to non-fish traders of taking up their freedom and Livery by patrimony. Fourth, by totally excluding Liverymen of the Guild engaged in the trade from the Court of Assistants of the Company. Fifth, by withholding pecuniary assistance (with but few exceptions) from representative institutions connected with the trade; thus, in the opinion of the trade, diverting the beneficence of the original founders into a channel entirely at variance with their intentions. This Association having become the fully acknowledged representative organization of the London fish trade, its committee considered it within their province to approach the trade guild with a view of restoring the trade to its former position in connexion with the guild, and in doing so I will refer to the first action the Association took in approaching the guild. On January 12th 1881, a letter was addressed to the Prime Warden and Honourable Court of Assistants of the Worshipful the Fishmongers' Company, to the following effect:—"Gentlemen,—I am directed by the members of this "Association to respectfully request as a favour that "your honourable court will consent to receive a "deputation from this Association for the purpose of "setting forth to the court the advantages and desirability of apointing a liveryman of the Company, "who shall also be a member of this Association, as a "member of your honourable court with a view to "the trade being represented thereon. I shall be "glad to hear that your honourable court will consent to receive this deputation, when, and the number of gentlemen that should comprise the same. "I am, gentlemen, your most obedient servant, W. "H. Williamson, Honorary Secretary." To which the following reply was received:—"Fishmongers' "Hall, London, E.C., 17th February 1881. W. H. "Williamson, Jr., Esq., Secretary, London Fish Salesmen's Association, 4, Lower Thames Street, E.C.— "Sir,—Your favour of the 12th ultimo has been laid "before the court of this Company. In reply to it I "am directed to assure you that the court is always "anxious to promote for the benefit of the public the "important interests of the trade with which your "Association is so extensively connected, and will be "happy at all times to receive any deputation or communication with regard to those interests and to "give them its prompt and most careful consideration. "But the court at the same time desires me to state "that it is unable to recognise that the particular "request conveyed in your letter falls within the "class of cases which your Association, composed of "subscribers to your funds for the time being, is "entitled by its constitution, or otherwise, to discuss "with it, and therefore regrets its inability to comply "with the request. I am, sir, your obedient servant, "W. B. Towse."—On July 13th 1881, another communication was addressed to the "Prime Warden "and Court of Assistants of the Worshipful the Fishmongers' Company." The Fishmongers' Company ~~had granted to our~~ Association on its organisation a sum of 50 guineas, and by this letter we approach them a second time upon that particular subject "Gentlemen—I am directed by my committee respectfully to request of your honourable court a renewal "of the donation they were kind enough to grant to "us last year. It is with much satisfaction that I "beg to draw the attention of your court to the alteration in our title, and further to state that a large "number of the leading fishmongers of the trade "have now become members of our Association. "Trusting that your honourable court will respond in "the affirmative to this application, I am, gentlemen, "your obedient servant, W. H. Williamson, Honorary

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"Secretary." In reply to that letter they say "The "Court have had your letter of the 13th inst. under "their consideration requesting a renewal of the "donation made last year, and I am directed to inform "you that the Company cannot accede thereto." That letter is dated 22nd July.

1140. What is the alteration of title referred to in that letter?—From that of "London Fish Salesmen's Association," to that of the "London Fish Trade Association."

1141. Does that alteration of title mean an alteration of the actual position of the members?—Yes; at first it was confined to the salesmen, and then it was thrown open to the trade. On May 11th, 1881, the trade approached the guild upon a very important subject, and that had reference to the appointment of a superintendent fish inspector. Upon the direction of my committee I wrote the following letter addressed to the Chief Clerk: "W. B. Towse, Esq., Fishmongers' "Hall, E.C. Sir,—I am instructed by my committee "to respectfully request whether you will kindly "inform them upon what grounds Mr. Johnson has "received the appointment of superintendent fish "inspector of our market. By so doing you will "greatly oblige your obedient servant, W. H. Williamson, Honorary Secretary." That application was made because Mr. Johnson was a man quite unknown, or I may say nearly unknown, to all engaged in our trade. We were of opinion that he was in no way experienced to occupy such an important position as that of superintendent fish inspector, and we have since learned that he did know but little or nothing of the trade; he had to take his instructions from his juniors with the view of teaching him his business. At the same time, or a few days previously, we had also addressed the Fishmongers' Company upon an important matter that had reference to a certain piece of land which they had to let in Lower Thames Street known as the Customhouse and Wool Quays, with the object of ascertaining whether it was possible for that piece of land to be in any way turned into a market with a view of supplementing Billingsgate:—"Fishmongers' Hall, London, E.C., 12th May 1881. W. "H. Williamson, Esq., Honorary Secretary to the "London Fish Trade Association, 4, Lower Thames "Street, E.C. Dear Sir,—I am desired by the court "holden this day to acknowledge the receipt of your "two letters of yesterday, the one inquiring the "grounds on which Mr. Johnson has received the "appointment of superintendent fish inspector of your "market, and the other, to know whether the site of "the Customhouse and Wool Quays could be let for "the purpose of being appropriated for the relief of "the traffic to and from your market. In reply I "enclose a copy of the printed particulars for letting "the said property." In no way giving a response to the application of the Association as to the appoint- of Mr. Johnson. Whereupon the committee immediately addressed another letter to the Company as follows:—"W. B. Towse, Esq., Fishmongers' Hall, "London Bridge, E.C." (it is dated 16th May 1881). "Sir,—At a special meeting of our committee held this "day for the purpose of taking into consideration the "reply of your honourable court to the two communications from our Association of the 11th instant, "I was directed by my committee to convey their "thanks to your court for the prospectus (of the property now being offered for public tender) inclosed "therein. My committee further instruct me to convey "to your court, their regret, that the request upon what "grounds Mr. Johnson has been recently appointed "superintendent fish inspector was not answered. "Seeing that we are the fully recognised representative Association of the trade and the appointment of "a superintendent fish inspector is one of the utmost "importance, not only to the trade but to the public, "I am instructed to convey to your court the protest "of my committee against the course your court "have adopted in this inquiry in thus ignoring their "right to take cognizance of the subject. Further "my committee desire me to convey to your court, "that this inquiry was not made from idle curiosity, "but from a desire to promote the interest of the "trade and the public generally. I am, dear Sir, "your obedient servant, W. H. Williamson, Honorary "Secretary." This question with regard to the fish inspectors of the market has been for a very long time in an exceedingly unsatisfactory state; fish is such a peculiar article, not even inspectors of experience are always correct in judging as to its condition, and our Association have felt very keenly upon this matter. We feel that the Company have not treated us upon this particular question as they should have done. It is not to the interest of anyone in our trade to sell fish unless it is perfectly sweet and good, but when fish comes to our market if it is in a saleable condition, and fit to be offered to the public, it certainly is within the right of the salesmen, in the market, to sell it for the benefit of their consignors. This question being one of such great importance we again approached the Company upon the subject on the 20th of February of this year; at that time there had been a dispute with regard to the condemnation of a quantity of American oysters, the condemners had made a great mistake in taking them away, saying that they were unfit for food. A very large number of the trade were called at the time that the goods were condemned, and after they had actually been removed by the Company, placed in barges and covered with acid, many of the oysters were found by them to be perfectly good and sweet. The committee of my Association then thought it was high time to again approach the Company upon the subject with a view to settle all disputes in case the condemners should make any error, that is, between the buyer and the salesmen, and this letter was addressed to them on February 20th, 1882. "To the Prime Warden and Court of Assistants "of the Worshipful Fishmongers' Company. Gentle- "men,—I am directed by my committee to respectfully "request your Honourable Court to receive a deputa- "tion from the trade for the purpose of setting forth "the desirability of a jury of gentlemen, engaged in "the trade, being appointed to arbitrate in cases of "dispute that might arise between your inspectors "and the salesmen. I am gentlemen, your obedient "servant, W. H. Williamson, Honorary Secretary." A reply was made to the Association on the 10th March, addressed to myself, and is as follows:—"Sir, "—Your letter of the 20th ultimo was submitted "to and considered by my Court yesterday. In reply "the Court begs me to state that having appointed "meters to act for the Company under the charter, in "nominating other parties would, it is considered, "interfere with the duties devolving upon its repre- "sentatives, and, therefore, the Court regrets it "cannot accede to the request contained in your "letter. I am, dear Sir, yours truly, W. B. Towse." There have been so many matters arise in connexion with this question of condemned fish that many members of our Committee are seriously considering whether it would not be the right thing for our association to apply to the Board of Trade to appoint public inspectors. That ends the correspondence. I am then requested by my committee to submit a few remarks. This Association, therefore, in the name of the trade protests against the neglectful treatment it has experienced from its guild, and is of opinion that had the guild extended its support, control, and influence to the trade as it should have done the difficult questions now agitating the public mind upon the London fish supply would never have arisen. And this Association is further of opinion that the Fishmongers' Company should be compelled to take up an active connexion with the trade, and to this end recommends, first, the abolition of patrimonial rights to any person outside the fish trade. Second, the reduction of the fees to a reasonable scale to all actually engaged in the fish trade. Third, that it should be made compulsory to the guild, that the trade should be fully represented upon the Court of Assistants. Fourth, that the court should not be self-constitued, but elected by the livery. Then, with

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your lordship's permission, I should like to make a few remarks in my individual capacity as a liveryman of the Company. I have in many ways indirectly received no small amount of censure in consequence of my having taken this matter up, because I may say that perhaps I have done more in the matter than many others. My object has been no other than that of endeavouring to improve the position of my trade in relation to the public generally. We have for a series of years been most cruelly and and wrongfully vilified by the public as a trade for no other reason than simply this; that the public do not seriously understand the question of the fish supply to the metropolis, and we had hoped that the Fishmongers' Company would if they had been closely united or affiliated with the trade have thoroughly exonerated the traders from those imputations which have been wrongfully cast upon them. The great object of our Association also has been to bring the matter before various authorities, in which I think we have succeeded; we have approached the Corporation, we have approached the Government upoh this important question, and we have endeavoured to establish a true opinion of the case; but we say that had the Fishmongers' Company done their duty, had they been closely affiliated with our trade, then the whole of this question would not have arisen, for the simple reason that if the trade had been properly represented upon the Court of the Company, instead of the trade being ousted from the Company, it would have been then the duty of the Company, and within their province, to represent to Government and other authorities the real position of the fish trade and its supply to London. As an independent liveryman I must protest against certain remarks that have been made about myself, because, as I said just now, I have had no other wish than to stand up for the dignity of my calling. Remarks have been made to the effect that if I am not very careful the probability is that I shall be scratched from the guild. Well, I do not know what power they have to scratch me, and I am indifferent as to whether they do so or not while I can stand up for the interests and well-being of my calling, and I should not care if I were scratched from the whole of the 39 guilds if I were a liveryman of them. As a liveryman of the Company I certainly do protest against the relative position of our trade with this guild. I also protest, as I feel I have the right to, against the court of our Company being self-constituted, and against there being no one whatever upon the court to stand up for the trade or to speak for the trade at the proper time. I also think, as an individual liveryman of the Company, that the court surely should, if it is for the livery only that they work, have rendered to them a fair and proper account of the financial status of the Company, its receipts, and in fact an account of their whole work. Having made those few remarks, I say again my object has been none other than to endeavour to exonerate my trade (and it is the wish of our Association that I should do so) from those imputations that have been wrongly cast upon it from time to time.

1142. (*The Chairman.*) Let me ask you to what extent does the Association to which you belong represent the trade as a whole ?—We have now 75 members, wholesale and retail. We might have a large number more in the Association were it not for Rule 18.

1143. That is the rule requiring members to be solvent and to pay a certain fee ?—The great point in the rule is that people shall be solvent and in no way have compounded with their creditors or have been bankrupt.

1144. Do you say that your numbers would be largely increased if you had admitted those who had compounded with their creditors ?—We think they might, but after all there are only 87 *bonâ fide* salesmen in our market; that is those who are really salesmen.

1145. (*Mr. Pell.*) How many of them have you got in your Association ?—We have very nearly all of them. There are some, of course, that are not with us.

1146. (*The Chairman.*) I understand that you object to the appointment of fish inspectors by the Fishmongers' Company ?—We do not object to their appointment, because they do it as their right, but we think it would have been proper in the interests of the Company, and of the trade, and of the public, were a jury of gentlemen appointed to settle all disputes, fish being such a peculiar thing that it is really difficult to definitely decide at times whether it is good or bad. A large quantity of fish very often arrives at the market; the gut of the fish is not good, it is absolutely impure, but the fish itself is good, when that part is removed.

1147. Reverting to the question of appointment of inspectors, I understand you to say now you do not object to the appointment being made by the Company, but am I to interpret what you say as meaning that you think your Association ought to have been consulted in his selection ?—No, we think that it was within our province as an Association to draw the attention of the Company to the appointment, because we considered the man appointed altogether an incompetent man.

1148. That was after the appointment had been made ?—That was after the appointment had been made; it was made so suddenly.

1149. Was your request to be allowed a voice in the matter with a view to the removal of that inspector from his office ?—Decidedly, we considered that he had no right there unless he was thoroughly acquainted with the business.

1150. I understand that you do not question the right exercised under the charter to appoint to this office ?—No.

1151. But if the appointment is to rest with the Company, I do not see in what way your Association can have a voice in the matter ?—Only to the effect that we should have men who can carry out their functions in a proper manner so as to avoid any disputes.

1152. Then I understand all the right you claim is the right to complain of an inspector, if you think he is an unfit person ?—That is all.

1153. Is not that a right which every individual may exercise ?—Precisely, we admit that.

1154. Then I understand that you object to the right of admission by patrimony into the Fishmongers' Company ?—That is the whole sum and substance of this important question, I think.

1155. You wish admission to be confined practically to those who are actually concerned in the trade ?—We do; we felt that that was our original position.

1156. Are you aware that that has never been the state of affairs for the last 300 years ?—Not to such a serious extent as it is at the present time, and as it has been for some period.

1157. I think I also understood that you wish the internal constitution of the Company altered, so that the members of the livery should have more power ?—We wish the internal arrangement to be altered so that we as a trade may have some voice in the Company, which we know owes its very existence and title to our trade.

1158. Is there anything to prevent any member of the trade from becoming a member of the Company ?—Only the costs.

1159. What is the cost ?—To a person engaged in the trade who takes his freedom up by redemption the livery would cost 150*l.*, or rather better than that.

1160. (*Mr. Alderman Cotton.*) That is by redemption; and what is the cost by patrimony ?—The cost by patrimony would be something under 40*l.*

1161. The freedom and livery ?—The freedom and livery.

1162. (*Mr. Firth.*) And what would be the cost by servitude ?—About the same. Mine was taken up by servitude, it cost somewhere near that.

1163. (*The Chairman.*) You do not desire, as I understand, to diminish the control which the company exercise over the trade ?—They exercise no control at all at the present time, only so far as

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regards their charter in relation to the condemning of fish; they have no other control at present.

1164. They exercise a control by naming an inspector, do they not?—That comes within their charter, that is their power.

1165. And he has the power of condemning fish, has he not?—His powers are everything that could be desired. If he thought there was any fish stored away in a place he has the power to force the doors open and take it away. I believe his powers are very strong.

1166. Then I assume you admit the Company has certain powers over the trade?—We admit the full extent of the charter.

1167. (*Mr. Pell.*) Those powers do not go beyond Billingsgate Market, do they?—I think they do. If the market is built at Shadwell the probability is that they will have a representative there.

1168. (*Mr. James.*) Do their powers extend to private fishmongers' shops?—That I am not aware of, but I believe so; I believe their powers are very large.

1169. (*The Chairman.*) Then you do not desire that the trade should be left free and unfettered from such control as is now exercised, but you wish to have more control over the appointment of the persons who exercise that power?—Exactly; we wish, as it were, to be able to express our approval of any appointment; provided that the individual is a competent man, there would be no remark to make.

1170. You say you wish to be able to express your approval of any appointment, do you mean by that that you wish to have a veto upon the appointment?—Certainly not, unless it is given to an incompetent man, as it was, in our opinion, in this case, and matters have occurred since his appointment that are very unsatisfactory. Fish have been condemned, and the Fishmongers' Company has had to return money to the salesmen for the fish being condemned in that way.

1171. What I want to get at is the nature of the power that you desire to exercise in regard to these appointments. You say you do not want to make the appointment yourselves, you are content that it should rest with the Company?—Exactly.

1172. You say you do not want a veto upon the appointment?—Not unless it is given to an incompetent person.

1173. That is to say unless you think it is desirable to exercise a veto?—It amounts to that, I presume.

1174. Then you do want a veto?—We wish to have a voice in the matter, if the appointment is given to an incompetent person.

1175. You do want a veto upon the appointment?—Only to that extent.

1176. (*Mr. James.*) Have you ever seen the accounts of the Fishmongers' Company?—No.

1177. Have you ever expressed any wish to see them?—I never did express such a wish, I think it would be all the same if I did.

1178. Can you tell me what the Fishmongers' Company have done for the benefit of your trade from the funds of the Company?—Upon our inauguration they gave us 50 guineas. In addition to that they give two Home pensions of 15*l.* a year to the Fishmongers' and Poulterers' Institution. They are giving their support as a Company to the proposed great International Fisheries Exhibition of 1883. I know of nothing else outside of their livery in which they have in any way assisted the trade.

1179. Are the fish inspectors at Billingsgate paid by the Company?—They are paid by the Company.

1180. You mark no contribution yourselves?—No, not in any way.

1181. (*Mr. Firth.*) I see they expend something like 6,000*l.* a year on weekly pensioners; can you say whether those weekly pensioners are or are not connected with the trade?—They are not in any way connected with the trade that I am aware of; unless I see their names I cannot tell.

1182. But the amount being so large, something like 6,000*l.*, a year, it must be a matter that you have some knowledge of as a liveryman?—There may be one or two, but there are only 41 liverymen upon the whole guild who are engaged in our trade.

1183. That I understand; what is the number of the livery of your Company?—Somewhere about 430.

1184. Do you know whether the inmates of the almshouses belong to the trade?—There may be one or so, but of course he would be there in his capacity as a freeman.

1185. Of the 14,000*l.* or 15,000*l.* a year that is spent upon the whole of the management, have the livery any control over that?—None whatever.

1186. Have they any control over any part of the expenditure;—We have no voice in anything.

1187. With respect to the election of the Court of Assistants, of which I understand you complain, you are aware of course that the election is by charter?—I was not aware of it.

1188. You are not aware that under the charter of the Company, the election to any vacancy on the Court of Assistants is by the Court of Assistants?—I am aware that it is by the Court of Assistants, but I was not aware until now that they had any charter which gave them that power.

1189. I think that is so by the charter of James I.; but you consider that that works an injustice?—A great injustice to our trade.

1190. Can you tell me how many members of your committee are on the Court of Assistants?—Not one, and with your permission I will hand in a list of the Court of Assistants.

1191. We have a list of them. The Court of Assistants are the governing body in every respect of the Company, I think, are they not?—In every respect.

1192. I suppose the number will be 28, is that so? thirty-four.

1193. In that number you include the six wardens?—Yes, I include the six wardens.

1194. Do I understand you to say that of those 34 men having complete control over the property and management of the Fishmongers' Company not one is connected with your trade?—Not one single individual.

1195. I think the charter duties of the Company are to inquire into and regulate and manage the fish trade throughout London, and the liberties and suburbs?—That is the first I have ever heard of it.

1196. This is the charter I was speaking of, 2 James I.:—"This charter grants to the wardens "and commonalty and their successors with the city "of London, the liberties and suburbs of the same, "and Southwark, the full and entire survey, search, "governance, and correction of all persons, of whatsoever art or mistery, selling or having, possessing, "or keeping to sell, any salted fish, salted herrings, "fresh fish of the sea, salmon, stockfish, or any other "fishes whatsoever, with power of entering any house, "shop, ship, cellar, wharf, and other place where any "such fish shall be laid or housed, and to view, "search, and survey whether the same be wholesome "for man's body, and fit to be sold or no; and if "found unwholesome, corrupt, or unfit to be sold, it is "declared lawful to the said wardens, or any of them, "the said bad, unwholesome, and corrupt fish from the "owners thereof to seize, and thereof to dispose according to the laws of England and customs of the said "city of London and borough aforesaid."—They in no way exercise such a control at the present time.

1197. The only control I understand they exercise now is a control over the destruction of bad fish?—Precisely.

1198. (*Sir R. Cross.*) Within what limit of area?—That I could not say.

1199. (*Mr. Firth.*) The fact, I suppose, of Billingsgate having been the only fish market precludes you from saying by absolute knowledge whether they do or do not claim this control right over the whole of London and the suburbs?—That is it, but I am of opinion that their control is large and will cover a large area.

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1200. They will attempt to exercise it over the new market in Shadwell, you think?—I feel sure they will.

1201. With respect to their action in Hungerford Market, have you any memory or knowledge of that?—I was not in the trade at the time.

1202. (*Mr. James.*) May I ask you about Columbia Market; do you know whether they did anything there?—I believe they did in Columbia Market.

1203. (*Mr. Firth.*) Has there been in recent times, to your knowledge, any control over the trade other than this?—Not to my knowledge.

1204. Are you acquainted with the apprenticeship system as it obtains in the Fishmongers' Company?—I was an apprentice myself.

1205. I see something like an average of three apprentices are bound every year; are those genuine apprenticeships?—They should be, according to the oaths that are taken.

1206. So far as you know they are?—As far as I know they are.

1207. But during the term of servitude do the Court of Assistants exercise any control or guard over the apprentices?—None whatever. I would refer to my own case. The nature of my father's business, to whom I was apprenticed, was such that the business was at an end shortly after 9 o'clock, and while I was his apprentice and working with him very early in the morning from 5 o'clock till 9 it came within my knowledge that it was possible for me to get a situation in the city. I carried on the situation in a ship broker's office for four years while carrying on the trade. I left there and I held a situation in Messrs. Glyn's bank for nine years, and five years out of that I was engaged in the Clearing House as their representative in Lombard Street.

1208. During seven years, which included part of those periods you are speaking of, you were nominally a fishmonger's apprentice?—I was an apprentice, and carried out my duties faithfully to my senior, and it was with his permission that I sought situations in which to occupy the remainder of my time.

1209. Do you know whether any claim has ever been made by a fishmonger for admission to the Fishmongers' Company which has not been entertained?—That I am not aware of. I have no instance within my knowledge

1210. Are you aware of any attempt having been made by fishmongers to bring themselves into communication with those people, to protect the trade over London and the suburbs?—No. My opinion is that they studiously avoid it.

1211. What is your explanation of what I understand to be with you an admitted fact—that no complaint or representation has ever been made with respect to the administration of those funds of 60,000*l.* a year?—With regard to any of the funds of the Company, the whole of the livery are kept in a perfect state of ignorance.

1212. I want to know how it was that they calmly consent to so remain in ignorance?—It is mere apathy on their part.

1213. Have none of the livery ever made any claim or expressed any wish to take part in the control of the Company?—I believe there is a general feeling throughout the whole of the livery that a reform of some description should take place, and I believe also that if we were to appeal to the livery they would express a hearty desire that the guild should co-operate and affiliate itself with our trade, while at present there exists a breach more than anything else between us.

1214. In addition to the municipal and parliamentary franchise what are the advantages in your experience and judgment of being upon the livery?—The Court of Assistants provide certain exhibitions for education for which liverymen can make application. The greater the support they obtain upon the court the more likelihood of success.

1215. For their children?—For their children, precisely. I think that the position the widow of a deceased liveryman would occupy if she applied for help to the Company at his decease would be this: I have been given to understand that they would immediately return to her the cost of his livery. She is then in virtually the same position as the widow of an ordinary freeman and has to take her turn either for an almshouse or for other relief in succession.

1216. What is the number of freemen?—That I am not cognizant of.

1217. Can you tell me whether you know of any principle of selection that obtains when a vacancy exists at the Court of Assistants by death or resignation; on what principle is the appointment made of a successor?—I assure you that that is a perfect mystery.

1218. That is a matter closely affecting the livery, is it not?—There happened to be at the time when we made the application that I have read to the Commission a vacancy, and the appointment was made of William Graham, Esq., Trigg Wharf, Upper Thames Street. The prior appointment to that upon the court was his Excellency Major-General Sir Evelyn Wood.(1)

1219. How they came to be chosen you do not know?—We know in no way.

1220. Then the practice of selecting the senior liverymen does not obtain in the Fishmongers' Company?—It is not in any way carried out.

1221. I see you suggest that patrimony should be abolished; are you willing to retain redemption?—No, I think that redemption should also be abolished, to any outside of our trade, and that we should be placed upon a fair scale.

1222. If you abolish patrimony and redemption you would only have servitude remaining?—That would be better for our trade in the existing scheme.

1223. I see that only an average of three have been received?—We do not advocate the total abolition of patrimony. We advocate patrimony as regards those not engaged in our trade.

1224. Your proposal is that there should remain in connexion with the Company only those who through patrimony are connected with the trade, and by servitude?—We should have no objection to redemption in the case of a few others under special circumstances.

1225. Suppose a person following your trade had three sons, of whom only one followed it, would you allow the system of patrimony to obtain as to all three or only the one?—Only the one.

1226. Leaving those questions, just tell me in what manner you consider in connexion with your trade these funds or any part of them may be usefully and properly applied by such a reconstituted company as you are speaking of?—We, as a trade, are of opinion that had we been closely affiliated to the guild that a very large amount of those funds could have been well appropriated by the company establishing themselves (by Act of Parliament if necessary) as the market authority of the metropolis; on the one hand you would have had the company, if the trade were properly represented in the court of direction by those engaged in the trade, and who understand the practical management of our trade, doing all that was possible to satisfy the public wish, with regard to the important market question,—with regard to the all desirable legislation to prevent the destruction of immature fish, and it would have been within their province to approach Government with regard to the most important question of the prohibitory railway rates that are put upon our goods, and any other matters connected with the trade. That is what we contend should have been the position of the Fishmongers' Company at the present day, but they simply exist, exercising their authority to condemn fish, while on the other hand we have the Corporation of London, our market authority, making a large and huge profit, or I will say a large profit out of the market, which they do. They will not give us proper accommodation, and will not provide us with proper approaches to our

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(1) *See* Fishmongers' Statement, p. 324.

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market, which is so absolutely imperative in the interest of our trade and in the interest of the public.

1227. Setting aside the market authority question, which will probaby not be solved in that way, what control or functions would you give to a new company of the kind you have suggested over the trade?—Do you mean to say the new guild?

1228. Yes; or a company formed, as you have said, with patrimony abolished?—Do you mean particularly over their funds?

1229. Yes, over the funds and over the administration of them; do you think it could usefully continue to exist at all?—Only as the market authority of our trade; we do not see any other way.

1230. I should like to ask you why you became a liveryman?—I became a liveryman at the express wish of my senior. At the time I knew but little as to what benefit I might derive from it other than that if at some future period I married and had a family, in case of necessity, I might obtain an exhibition for them. I believed at the time that it was important that I should be enrolled in the franchise, but I certainly had no idea that the relative position of our trade with its guild was so bad as it is at the present moment. I thought that the Fishmongers' Company was literally the parent of the trade.

1231. (*Mr. Alderman Cotton.*) Are you a fishmonger by trade?—I am a shell-fish and salmon merchant.

1232. Are you still in the banking house?—I left the bank two and a half years ago, when my father retired from business.

1233. You took to his business as a fishmonger?—Solely.

1234. As to the age of this Association, this is the second annual report, I see, of the fish trade; how long was the other in existence?—Rather better than two years. They tried to get an association of this description up for ten years previously. It was not until I left the bank and volunteered to take the office of honorary secretary that we really inaugurated the concern.

1235. Then you, as a young institution of two years old, take upon yourselves to advocate re-union with the Fishmongers' Company, which had been established for some hundreds of years, and thought that they ought to take you entirely into their confidence and assist you as if you were an institution of some standing and of worth?—Our opinion, when this Association was inaugurated, was that the very work we were going to set about and do, or endeavour to carry out, was the duty of the Company. We asked early for the hearty co-operation of the Company in the work which we had before us.

1236. The first response to that was a donation of 50 guineas, was it not?—After receiving the deputation from the trade upon the subject.

1237. That was at your starting almost, was it not?—That was at our starting.

1238. Did they give any reason why they did not make you a second donation when you applied to them?—None whatever.

1239. You yourself, I suppose, are almost this Association, are you not?—Not in any way; Mr. Alderman and Sheriff Hanson is our President, Deputy James Bell is our Chairman, Mr. Edward Jex, Common Councillor, is our Vice-President, and we have another Common Councillor on the committee.

1240. I have a list of your names, but lists are nought. It is really those who are most active who govern the Association. How many of you would meet in committee when you summon your Association together?—I should like to inform the Commission that this subject has been very seriously discussed in committee. At the first meeting out of 19 members, I think we had 16; to-day owing to the sudden notice I had to give them to consider the evidence prior to my submitting it we only had 12. Others who were absent expressed their desire to heartily co-operate with the members of the committee in advocating this case.

1241. You have spoken of the fees of the Fishmongers' Company as being prohibitive of the entrance of the trade into the Company, and then you said that your own Association could have a much larger number of members if it were not in consequence of Rule 18. Rule 18, of course, alludes to insolvency, but at the same time it also says that an entrance fee of three guineas shall be paid, and in another rule it says that an annual fee of one guinea shall be paid?—Yes.

1242. Is that fee in any way prohibitory to a larger introduction of the trade into your Association?—Not in any way. Every individual member of our Association looks upon it as the best investment they have made for a long time.

1243. You are small in numbers compared with the largeness of your trade, the same as the Fishmongers' Company may be?—We are small in numbers, but we are important in work.

1244. Have the Fishmongers' Company ever found fault with the way in which you approached them? Did they think you were acting with an inimical feeling towards them?—No, we always endeavoured to approach them legitimately, and in every way friendly. We expressed ourselves as very desirous of being affiliated with the Company.

1245. You yourself, I suppose, are a young liveryman of the Company and a long way down in the list?—I am a liveryman of eight years' standing.

1246. Of course there would be many much higher up who would be entitled to take their seats upon the court by seniority long before you?—My claim is a mere nothing. I stand simply advocating the claims of my trade.

1247. I thought you did express some little disappointment that you were not put on the court of the Company, and that some fishmongers were not upon it?—Not myself. I expressed my disappointment that we have no liveryman of the Company engaged in the trade upon the court.

1248. You know that seniority, as a rule, gives entrance to the court of the Company, do you not?—Not in our Company.

1249. Not in the Fishmongers' Company?—No; there are instances which I can point to.

1250. It would not always be the case, would it?—I was not aware that it was a rule that was ever in any way followed.

1251. You say that Major-General Sir Evelyn Wood was put upon the court; was it not the honorary freedom that he received?—Here is a list of the court. He was put upon the court on the 9th of October 1879, and, as our trade remarked, he may be a very excellent soldier, but a very bad fishmonger.

1252. You thought that you ought to have had a voice in the appointment of the superintendent, Mr. Johnson, and that Mr. Johnson was an incompetent man at the time of his appointment?—We thought so at the time. In our opinion he was an incompetent man, hence we approached the Company upon the subject.

1253. Is he an incompetent man?—In my opinion he is undoubtedly a most incompetent man.

1254. Up to this date?—Up to this date.

1255. Is there no improvement?—I think it is impossible for him to improve. He may be a very nice gentleman; I do not wish to say anything against him as an individual, but his capabilities as a fish inspector in our trade are not such as should recommend him to the notice of the guild or such as to give satisfaction to the public.

1256. How many years has he been superintendent?—He was appointed just about the time we sent the letter that I have read upon the subject.

1257. Two years ago?—No, a few months ago.

1258. There you speak of meters; a meter is a kind of inspector, I suppose?—That is their title; they are called meters.

1259. There are meters appointed independently of Mr. Johnson, are there not?—They call Mr. Johnson a superintendent fish inspector; they call the other

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two condemners, who really do the actual work I suppose, the inspectors.

1260. How many meters are there ?—Two.

1261. And they take the control of Billingsgate and any other market than Billingsgate ?—There is no other market, of course, as a fish market. They walk about the market during the whole of market hours, and they inspect the whole of the fish that is being sold, and if they have any reason to believe that any fish is being exposed for sale that should not be, they immediately walk to the place and demand an inspection, and if necessary remove it, for which they give note with the crest of the Company upon it, with directions for filling in, stating that the fish has been seized, which they sign and give to the salesman, for the purpose of his sending it to the consignor.

1262. (*Sir Richard Cross.*) Have you any notion of how much a year is condemned ?—The statistics can be found. They are furnished weekly to the Commissioners of Sewers by the Company.

1263. (*Mr. Alderman Cotton.*) The quantity is very large, is it not ?—In the summer months it is very large. If I might respectfully refer to the report of Mr. Spencer Walpole upon the subject, he states that there is an immense quantity of shell fish that we get which is in a bad state when we receive it in the summer time, but he points out the important fact that it is not actually fish that is condemned, but a very very large per-centage of shells.

1264. With respect to the market, you said in reply to a question of Mr. Firth's that the Fishmongers' Company might have been the market authority and by that means they would have been the market authority of the whole metropolis. You are aware that the corporation of the city of London is the market authority for Billingsgate ?—I am aware that at present they have a seven mile radius clause, but when we take into consideration that a limited liability company can approach the House of Commons and overthrow to some extent their rights (of course it is not yet actually settled), we believe the corporation of London would in all probability have waived that right in favour of the company, precisely in the same way that they did in favour of the Columbia Market.

1265. That limited liability company approached the House of Commons on account of the fault that was found with the fish-market of Billingsgate and the high prices there charged for the fish and the way in which it was supplied ; was not that the cause of the agitation ? — The limited liability company is seeking powers to establish the market at Shadwell for no other reason than the ill-treatment they have received at the hands of the corporation.

1266. Was it not in consequence of the bad odour that the salesmen were in with the public generally, and a correspondence which took place in the press, that the fish question arose ; and is it not the fact that a deputation went to the Home Secretary, that representations were made to him, and that upon those representations the limited liability company was founded ?—No, the whole sum and substance of the matter is as I have stated it ; and the promoters of that limited liability company are none other than Messrs. Hewitt & Co., who are members of this Association.

1267. Do you think it is the business of the Fishmongers' Company to defend the trade ?—Most decidedly. They should, I think, have defended the trade from the imputations which have been most unjustly cast upon it.

1268. How could they do it ? — They were not affiliated with our trade, but had we been represented as we ought to have been upon the court of the Company the whole thing would have been properly carried out.

1269. (*Lord Coleridge.*) Just let me see if I apprehend your evidence, put shortly. This Company has, roughly speaking, 60,000*l.* a year, has it not ?—I am not aware of their receipts.

1270. Someone said so ; call it roughly 60,000*l.* a year ; and it is called the "Fishmongers' Company" ? —Exactly.

1271. Are you aware of anything, great or small, which it does for the benefit of the trade ?—Nothing whatever.

1272. Either for the trade or for the public, except appointing fish meters ?—No ; in fact I am compelled to admit that where poor people, widows of fishmongers, have in some cases applied for relief to the Company they have positively refused to listen to them in any shape or form, let their circumstances be ever so bad, unless they were freemen or unless their relatives were freemen or liverymen of the Company. We had a serious instance of that not long ago in the case of a woman named Mrs. Palmer. Her husband had been engaged in the trade for something like 45 years.

1273. My question did not point to particular grievances as to particular people, but to the trade as a trade, and the public as a public. Has the Fishmongers' Company, so far as you know, done anything for the good of the trade or for the good of the public, excepting the appointment of the fish inspectors ?—The first step they have taken in that direction is the support they are about to give to the fish exhibition ; and that is the only thing that I know of.

1274. (*Sir Richard Cross.*) The Company have been asked what reforms could be made in their Company. At page 117 you will see the words beginning "In respect, however," just read that through (*handing the document to the witness*) ?— "In respect, however, to the powers which the "Company exercises in connexion with the trade "which is associated with its name, the Company, "without at present submitting any specific sugges- "tions, would be glad to see its powers extended so "as to enable it, without undue interference with "trade, to give material aid to any measures adapted "to secure for the inhabitants of the metropolis a "more abundant supply of fish, and to render this "important article of food more accessible to the "people."

1275. I only want to know whether you have any suggestion to make which would carry out such reforms as are referred to there ?—We have this suggestion to make, viz., that members of the trade should be elected on the Court of Assistants. Had we persons engaged in our trade upon the court of the Company, the Company would soon become closely affiliated with the trade, and they, acting as it were as a portion of the trade, could then approach the Government (and any other authority) in such a way that whatever they brought before them would receive attention, and that would be of immense importance to the interests of the public with regard to the fish supply of the metropolis.

The witness withdrew.

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Mr. JOHN ROLAND PHILLIPS was called in and examined as follows :—

1276. (*The Chairman.*) You are a barrister and a police magistrate, I believe ?—I am.

1277. We understand that you have given a good deal of time and attention to the subject of the city Companies ?—Yes, I have.

1278. And that you have written articles which have appeared in various periodicals upon the questions which in this Commission we are considering ?—I have in the "British Quarterly," "New Quarterly," "Fraser's," and in other reviews and magazines.

1279. I think, among other things, you have come to the conclusion that the estimate which has been made by the Companies themselves as to the value of their property is considerably below the mark ?— If they have represented 700,000*l.* a year as the value of their property and not the actual income that they receive, from an inquiry that I have made I think that they have under-estimated it. The value of their property must be considerably more than 700,000*l.* a year.

1280. How have you arrived at that conclusion?—I very carefully went through the rate books of the city, and in the rate books I found that the gross estimated rental of the property that they had in the city alone was worth about 516,000*l.* a year. Then I examined the Domesday Book (that is the new return of landed proprietors), and so far as the Companies are concerned I find that they there own a very large amount of property in various counties to the extent of about 100,000*l.* a year. I estimate that their property in the metropolis outside the city (that is in the parishes which are not included in the Domesday Book), although I have not been able to go through all the parish assessment books, comes to at least 200,000*l.* a year, and their estate in Ireland amounts to 77,000*l.* a year, and their personal property I estimate at something like 150,000*l.* a year, making altogether 1,020,000*l.*

1281. Then I think you consider that there is some question as to whether we have full information as to the amount of trust property in the hands of the companies?—I think so, and for this reason. The Charity Commissioners, so far as I understand from their return, have adopted and accepted as almost conclusive the reports made to Lord Brougham's Commission in 1819–21. The title deeds of those trust properties were exhibited to the Commissioners. The Charity Commissioners have adopted those as showing the whole of the trust properties the Companies have. Lord Robert Montagu's return, which was published I think in 1868, shows that the Companies themselves have since disclosed some trust property which was not included in the first reports to the Charity Commissioners,—that is Lord Brougham's Charity Commissioners. That in itself, I think, clearly shows that further inquiries ought to be made, and that they ought to exhibit their title deeds as to all their property in order to enable the Charity Commissioners to see whether the trust is impressed upon such property. The Charity Commissioners have hitherto accepted the admissions of the companies as a complete disclosure.

1282. Then I understand you to contend that much of what is not acknowledged by the Companies as being trust property is so in reality?—(1)I think so.

1283. Do you mean that it is legally trust property as the law stands, or that there is a moral claim upon it?—I mean that the property is itself impressed with the trust. There is an extraordinary case to which I may call the attention of the Commission. Some time ago a book was published by the Clothworkers' Company called a "Register for 1838 of the Charities and "Properties of the Clothworkers' Company," from which it appears that some suspicion of the integrity of a former clerk of the Clothworkers' Company occasioned the appointment by the court of that Company of a committee of investigation. The president of this committee was the Master of the Company, Mr. Alsager, who seems to have been indefatigable in his endeavours to discover the truth of matters. And a very extraordinary state of things was discovered. The clerk appears to have had everything his own way; charities were kept back, and the deeds and wills creating them were alleged by him to have been burnt in the great fire of London. No entries were made in the accounts of the proceeds of some trust properties, and it was actually discovered than an important suit in Chancery respecting one of the trusts had been instituted against the Company and had been carried on through all its stages by the clerk without the knowledge of the Court of Assistants, who were never informed of any such proceedings whatever. In one of the answers in the Chancery suit the clerk stated that all the records of the Company and their muniments had been destroyed in the great fire, which was simply untrue. It is beyond doubt that similar statements kept from the Commissioners of 1818 much information which they were entitled to, and that in this way many deeds and wills of vital importance in an investigation of the kind they were making were withheld.

1284. In the case of such property as is not invested with the legal character of a trust, do you consider that nevertheless it is property applicable to public uses only?—Certainly. I think it is perfectly clear that those companies are in no sense private companies, and that in no sense can their property be deemed private property, and in support of that view I think I may quote from a speech made by Lord Selborne in a debate in the House of Lords in 1877 on the Inns of Court and General School of Law Bill. There on the second reading Lord Selborne said this, "He" (that "is Earl Cairns) had spoken of what he called the "private character of the Inns of Court, but he (Lord "Selborne) confessed that he knew no single circumstance which gave them the character of private societies unless it was that they were not incorporated. "He declined to look upon incorporation as a test for "that purpose; some private societies, such as clubs "and trading companies might be incorporated," (trading companies, as such, do not include these trade guilds, and there is a great distinction between trading companies and trade guilds) "and institutions "not incorporated might be of a public character. "Looking back to the history of the four Inns he "could not find a single fact which went to establish "that they were private societies. Not one of them, "he believed, had ever applied one shilling of their "funds to private uses. As to two of these Inns, the "properties which they possessed were held under "charter of James I., as the Royal Commissioners "had pointed out, expressly for the purpose of legal "education. There was a well-constituted trust for "the purposes of education. As to the other two "Inns he was not aware that there was the same kind "of proof of any express trust, but their endowments "had been acquired in times when a trust for public "purposes might be constituted without writing, and "they were so alike in other respects that there was "no single fact to justify the conclusion that they "were institutions of a private character, and therefore their property could not be treated as private." And again, speaking of the fees paid on admission to the Inns of Court (the fees are paid on admission to the city Companies in almost a similar manner), Lord Selborne said this, "These fees were not voluntary "subscriptions but compulsory payments." (So were the fees of the city Companies.) He then says this, "It therefore seemed to him that as the position and "functions of the Inns were recognised by law, and "as every shilling they possessed was legally the result "of ancient endowments, or of fees so received, no "element of a private character could be recognized in "them." If it is thus with regard to the Inns of Court, which are not incorporated, much more so, I contend, is it with regard to the property of the city Companies, which are incorporated companies enabled to hold property for certain specific purposes.

1285. Then that being so, you consider that they ought to be dealt with by legislation rather than by any attempt at legal action?—There is not sufficient power. The principles of the Court of Chancery as they exist do not enable the Charity Commissioners to move in the matter, therefore I suggest that Parliament should come in and deal with the property of these Companies, that is the corporate property, which they claim to be private property, as Parliament has before this dealt with property of a similar character.

1286. In the event of Parliament dealing with those bodies as having an exclusively public character, do you consider that there are any functions which may be usefully performed in the present ordinary condition of society? We know what the functions of the Companies were in the middle ages; we know that the performance of those functions at the present day is impossible?—It would be almost absurd to apply the

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(1) *See* Goldsmiths' Memorial, p. 305.

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property in the way the Companies applied their property 300 years ago at this day; but I think inasmuch as it is now admittedly a perfectly sound principle for Parliament to interfere with property and dispose of property of which no proper use can be made according to the original intention of those who gave the property, that Parliament should set forth some other public use for that property.

1287. Do you conceive it to be practicable to bring these Companies into closer connexion with the trades which they ostensibly represent?—I can hardly think so, unless it is in the way of the extension of technical education. I think that is about the only proper use that can be made of their trade functions at this day.

1288. Then have you formed any idea as to what is the use to which you desire to put these very large funds if they are no longer to be applied as at present, but treated as public trusts?—Yes; my idea is this, that the whole charitable educational endowments of the metropolis, including all property which Parliament should take cognisance over, such as the corporate property of these city guilds, should be brought into hotch-potch or into one mass, selling all the real estate and converting it into funds, and that when so brought together into a mass Parliament should devise some scheme for its application and administration suitable to the wants and exigencies of the time we now live in, and that all the mischievous charities—that is charities which have really a bad influence upon the recipients—should be absolutely suppressed, such as doles of bread and doles in kind, and that the objects to which Parliament should apply the revenue should be mainly educational, and that in this, technical education should be liberally provided for, that elementary education should be subsidised, so as to decrease the school board rates, and intermediate and university education provided for the metropolis.

1289. Can you show any special reason why the rates of the city of London or of the metropolis generally should be relieved from a charge which falls upon the rates everywhere else for educational purposes?—London stands in this way; there is this vast amount of wealth which requires to be properly utilised, and inasmuch as the wealth was given by Londoners to Londoners, Londoners should reap some benefit from the value of the property so taken.

1290. Have you considered what, under any such plan as yours, you would do with the halls, the buildings, of the Companies?—I would sell the halls, every one of them. I do not think they are wanted at all; the Guildhall is quite enough for any municipal functions that the city Companies might wish to give effect to. I think the halls are not wanted and they would realise a large amount of money which could be much more usefully applied.

1291. (*Sir Richard Cross.*) Do you say that all this property that they possess is clothed with a trust?—In the sense that Lord Selborne stated I think it is, except in this way. I may say in regard to a gift which the Commissioners no doubt know of, a member of the Clothworkers' Company gave some 20,000*l.* to the Clothworkers' Company simply for the purpose of making themselves comfortable with.

1292. What do you say to that?—In that case the gift is quite a recent one, long after the Company had ceased to perform any of its trade functions, so that it cannot be considered as clothed with a trust for trade purposes, but I further say, inasmuch as we prevent lunatics from disposing of their property, I think Parliament should in the same way prevent a lunatic bequest of money. It is perfectly absurd to give 20,000*l.* to a city Company with which to make themselves comfortable.

1293. It was not necessary in early times that all the members of a Company should be craftsmen, was it?—It was necessary that all craftsmen should be members of a Company.

1294. That is not the question I put. Was it necessary that all the members of the Company should be craftsmen?—Patrimony in itself would do away with that to a certain extent.

1295. Then it never was so really?—I do not say so.

1296. At all events so far as the patrimony goes it clearly could not be?—In course of time it would become so.

1297. Do you not think that a great deal of this property was left to them quite irrespective of their having any trade at all?—Then we must go to the origin of the Companies, and what were they intended for and what were they incorporated for, and what they were doing with their wealth when property was so left to them.

1298. I mean to say in the case of many Companies long after they had ceased to have anything to do with the trade after which they are named they had received many gifts of property, bequests, and otherwise, from members of their body?—I do not think the gifts are numerous, and if they are they should probably be dealt with in the way the Irish Church property was dealt with. All grants to the Irish Church for the Irish Church antecedent to 1660 were, I think, dealt with by Parliament as absolutely public property and disposed of so by them; as to gifts subsequent to 1660 (I do not know exactly why the line was drawn at 1660) the donor's intention was a little more respected.

1299. I see you draw a distinction in some of your writings between the case of some of the Companies and the case of Serjeants' Inn?—Yes, there is a very great distinction, I think, between them. Serjeants' Inn in the first place was not an incorporated body. Serjeants' Inn in the second place had no functions to perform. The appointment of serjeant did not vest in them, but in the Lord Chancellor, who could submit any barrister's name to the Queen, the Queen would appoint him, and Serjeants' Inn could not say nay to him.

1300. You think Serjeants' Inn was not such a body?—To a certain extent. The order of serjeants has never been extinguished even to this day. Although the Judicature Act of 1875 stipulates that it shall not be necessary for the judges to be members of Serjeants' Inn, Lord Cairns stated, in a debate in the House of Lords—I think he was actually the promoter of that Act—that it was never contemplated that the order of serjeants should be extinguished.

1301. I do not want to go into the whole story, but I want to know whether you approve of the action of Serjeants' Inn?—I do not.

1302. You think they had a right to do what they did?—I doubt it; morally they had no right.

1303. (*Mr. Firth.*) Have you any ground upon which to support that contention that they had no right?—No, without involving an argument.

1304. (*Sir Sydney Waterlow.*) I think you told the Commission just now that the Companies' property was worth a great deal more than they returned, and I think you based that on the statement that you had examined the rate books?—Yes.

1305. Are you not aware that in many cases or in all cases the amount in the rate book is the value of the property as rated to the poor, and that in a very large number of cases the city Companies are only the owners of the ground rents, which are perhaps a twentieth part of the property?—I guarded myself against that. I said if you return 700,000*l.* a year as your income that is really larger than ever I thought the income was, but the value of the property from which the income is derivable is a great deal more as shown by the rate books. The value is shown by the rate books.

1306. I want to know how you can get any correct information from the rate books, when such a very large quantity of property on the rate books is assessed at the full value, whereas only the ground rent belongs to the Company?—I do not know whether it is proper or right for me to put a question to you; but can you show me any land owned in the city of London by a Company of which they own simply the ground rent and not the freehold? Of course it may be that they have leased the property out, and that a

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man has built upon it and only pays the ground rent to the Company, or a small nominal rent to the Company, still they are the owners of that property, and the value of the property will ultimately be what it is now rated at.

1307. I thought you wished to lead the Commission to the conclusion that the amount the Companies returned was not anything like what it ought to be, because of the rateable value in the rate book?—I said the value and not the income.

1308. You asked me whether I could call your attention to any instances where the Companies are only the owners of the land and not of the buildings. Are you not aware that the majority of the large buildings in and around Fenchurch Street and Draper's Gardens are not the Companies' buildings, but that a very large acreage has been let by the Companies for buildings of late years, and that they receive only the ground rent?—There is no doubt about it; therefore I was surprised at the admitted income of the Companies being 700,000*l.* a year.

1309. Are you still anxious to express to the Commission the opinion that the Companies have not made a faithful return of their income?—Certainly not.

1310. Then do I understand you to say that you think that they have made a faithful return of their income?—I say the return of actual income they have made exceeds my anticipation. I had no idea they were in actual receipt of 700,000*l.* a year, and never so stated; but the property of which they are the owners is stated in the rate books to which I had access as being worth a great deal more. They may have let out the ground for building purposes, and may only be in receipt for a time of the ground rent, but the property is the property of the Companies nevertheless.

1311. Then if the Companies return their income at 700,000*l.* a year or thereabouts, do you still wish to lead the Commission to the conclusion that it is worth 1,200,000*l.* as you said?—I have repeatedly stated my answer. The Companies have returned their income at 700,000*l.*, that is very nearly 200,000*l.* more than I ever anticipated their income was; but what I said was that the property, the property of which they are the freeholders, is worth more than 1,000,000*l.* a year, not that they are in receipt of 1,000,000*l.* a year. I do not question their returns at all.

1312. (*The Chairman.*) Do you mean it would be worth that amount if it were sold?—Exactly.

1313. Are you taking prospective value into consideration?—The actual value.

1314. (*Sir Sydney Waterlow.*) If you say that it will ultimately be worth that amount I am satisfied?—It is actually.

1315. You think that the Companies have made a faithful return of their present income, but you wish to convey to the Commission that their reversions are very valuable and would increase that income if sold?—I have seen no return of the Companies. I have seen simply one statement that they are in receipt of an income of 700,000*l.* a year, and I have no means of saying whether they have made a faithful return or not, but I can say this that the return they have made of their income exceeds what I thought they had.

1316. I understood you to convey to the Commission an impression or to state that with regard to trust property, the whole of the trust property was not fully and faithfully disclosed, because the Charity Commissioners have not sufficient powers to compel them to disclose it?—Not because they have not sufficient powers; I am arguing from the fact that the reports made to Lord Brougham's Commissioners did not disclose the whole property clothed with a distinct trust, and since the appearance of that report they have made confession of other property which they ought to have returned at that time which they did not, and arguing from the dishonest proceedings of the Clothworkers' former clerk, I think there is ground to believe that they have not disclosed the title deeds of their whole property.

1317. Do you believe in the return that they have now made?—I do not, and I suggest therefore that further inquiry should be made.

1318. You have told us of an instance in which a servant of one of the Companies dealt improperly with his employers' property. That of course may always happen, but subject to that kind of exception, do you believe the Companies have made faithful returns of their trust properties to the Charity Commissioners?—I say this, that arguing upon the basis which I have given you, I have the right to draw this inference, that until absolute proof is given to me that every title deed in the Companies relating to every inch of ground which they hold has been exhibited to the Charity Commissioners the Charity Commissioners have not a full account of their property.

1319. Can you refer the Commission to any statement of the Charity Commissioners in support of your belief that the Companies have not returned their trust property faithfully?—I cannot. I have stated my reasons fairly, I think. So far as they have disclosed they have, I have no doubt, disclosed fairly, but my contention is that every title deed belonging to these companies should be produced to the Charity Commissioners, who would then see whether all the trusts had been disclosed.

1320. You have no other reason except that which you have stated?—Certainly.

1321. I think you told the Commission that in your opinion the corporate body is impressed with a public trust?—(1) Clearly, and that in no sense is it private property.

1322. Are you aware that the Livery Companies have constantly during the last quarter of a century sold their property and conveyed it and made a title satisfactory to the courts?—They may have done so, but people accept titles that are not always good.

1323. I say to the satisfaction of a court of justice?—It may not have been brought up in the way I suggest before a court of justice. I do not know of a single case upon which a court of law was called upon to decide.

1324. In what way do you consider their property is held?—They were entitled to hold land in mortmain simply for the use of the poor and the advantage of their trade, that is, of decayed members of their trade, and for the advancement of their trade. That was the license in mortmain which they had, and it is subject to that license alone that they hold lands.

1325. Do you consider that the courts of law have been wrong in allowing them to deal with their property?—I am not aware that the courts of law have ever been moved in the matter.

1326. You are aware, I presume, that they have sold their property and made a good title to it, and not a single suit has been brought in which the title to the property has been overthrown?—I am not aware that there has been a single dispute which would have brought the matter before a court of law. It cannot therefore be said that this title has ever been sanctioned by a legal tribunal.

1327. Do I understand you to say you cannot refer the Commission to a single instance in which the right of the Companies to deal with their corporate property has ever been successfuly challenged by any individual in a court of law?—I am not aware of any.

1328. Then we must take it simply as your opinion?—I have stated it as my opinion.

1329. Apart from the question of legal right, I want to ask you this as a question of fairness. I think you have told the Commission that for very many years, or for centuries, the majority of members have obtained their membership by patrimony or purchase?—I have made no admission to that extent. I said, in answer to Sir Richard Cross, that the effect of patrimony in course of time became manifest, and that there were persons who were not connected with the trade who were freemen of the Company.

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(1) *See* Goldsmiths' Memorial, p. 305.

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1330. Is it not a fact that for some centuries past a large mass of the members have obtained their membership either by patrimony or redemption, by paying a sum of money ?—(1) The first severance from the trade of the governing body of a Company I think is that of the Skinners', in which a complaint was made, and James the First provided in his charter that the master at least should be a skinner, if not every year, alternately. That is the first proof of severance from trade that I have seen.

1331. Have not the majority of members obtained their membership by patrimony, or purchase, or redemption ?—I suppose so.

1332. Has not that tended to bring the Companies into a condition in which a very small number indeed of the members belonged to the trade which the Company was connected with ?—In so doing I claim that they exceed their charter rights.

1333. I want to know whether you agree that that is the fact ?—It must be so ; looking at the Court of Assistants of these Companies, there are very few members of the trades upon them now, and that is a grievance.

1334. If for nearly two centuries persons have so acquired their membership, are they not really more like private bodies than public bodies ?—There is no statute of limitations as regards trust property.

1335. Has not the trust property been largely built up during the last two centuries by persons unconnected with the trade ?—I doubt it very much. The gifts since 1668 have been exceedingly few. With the exception of the 20,000*l.* given to the Clothworkers' Company quite recently I suppose I could on my fingers count the gifts of any substantiality made to the Companies during the last 200 years.

1336. Have you had the means of examining the accounts and returns of the Companies before expressing the opinion that you could count them upon your fingers ?—I can only go upon the declarations made to Lord Brougham's Commissioners, Lord Robert Montagu's return in 1868, and upon Herbert's facts.

1337. Are you aware that for the last 10 years large donations have been made to the Clothworkers' Company, and the Stationers' Company, the latter especially being left residuary legatees to a large estate ?—I am not aware of that.

1338. I presume that really you have no means of knowing to what extent moneys have been left to the Companies since the beginning of the century ? —I have not.

1339. Supposing money has been left for such a purpose as Mr. Thwaites left his money, do you think the Companies are not fairly entitled to deal with it as much as any other society with its funds? —They can never unclothe themselves, as I may say, from their original constitution.

1340. Then, although a testator leaves them 20,000*l.* to make themselves comfortable with, they are not entitled to make themselves comfortable with it ?—He gives the bequest subject to the chances of legislation.

1341. With regard to the persons who have purchased by redemption and paid large sums of money for privileges as members, do you propose to compensate them ?—They have had their advantages.

1342. Have they ?—They have had their dinners, representing quite the money they have paid in ; they have had a vote, which is an essential thing ; they have had votes as liverymen. If I wanted to have a vote in the city I should have to buy property ; this is property they have bought, and they have exercised the franchise.

1343. Have you any idea what money would be paid for a position on the Company by redemption for persons 50 years of age ?—I do not know.

1344. Should you be surprised if I told you it is as much as 300*l.* ?—I do not know.

1345. I may tell you that I paid more than 300*l.* at the age of 50 ; do you think I am not entitled to the benefits and privileges of the Company as long as I live ?—What are the advantages you get ?

1346. Whatever they are do you think I am or am not entitled to that which I paid for ?—If by getting on the livery you either win a position which you would not otherwise win, that is a compensation itself, and you cannot claim a double compensation.

1347. Particular rights are not to be extinguished without compensation, are they ?—I do not say that.

1348. Then you say they ought to be ?—Dinners compensate to a certain extent, and the position you acquire on the livery to a further extent, unless the liverymen are disenfranchised by an Act of Parliament ; I should allow them to continue to give their votes until they died, and I think that would be the value of the property for which they invested in the livery.

1349. Do I understand you to say that all other privileges, except the right of voting, you would take away from a man who purchased his membership by redemption ?—He has had the benefit of that.

1350. And that whenever Parliament chooses they are entitled to take them away without compensation ? —He must have joined the Company knowing very well that his membership was incident to all the chances which the Company itself was incident to.

1351. I think you told the Commission that the fees to city Companies were not voluntarily paid ; do I understand you rightly ?—(2) Yes ; a fine is not voluntarily paid ; everybody was compelled to join his guild, and it is that which made the bulk of their property in the olden time, which has aggregated to the great wealth they now have.

1352. Until what period ?—Until severance from the trades when they last exercised their chartered rights and insisted on the trades joining the guilds.

1353. When you state that they were obliged to join the guilds you refer to a period two centuries ago, do you not ?—I say not 30 years ago.

1354. Quote me an instance in which 40 years ago fees were compulsory ?—I do not remember the case, but I have a distinct recollection of one in which there was an enormous hardship. I think it was the Barbers' Company. Every barber was compelled to join his guild, and there was a great noise about it in the city. If you will allow me I will supplement this evidence on another occasion ; I am perfectly certain they have exercised it harshly and lately.

1355. I will not trouble you to do that ; is there any other case existing where a person can be compelled to pay fees whether he liked it or not ?—If they could be compelled then they can now ; they have never lost their rights.

1356. Can you quote a single instance in which a member of a trade has been compelled to pay fees ?— I am not aware that the Company has lost the right if they choose to exercise it.

1357. Do you know a case in which they have exercised it ?—I have stated that within 30 years a city Company has exercised the right of compelling members to join it and to pay the fees.

1358. Do you know one now ?—I do not. There are certain Companies which exercise powers under Acts of Parliament which are compulsory certainly. The Gunmakers' and the Apothecaries', for instance.

1359. I understood you to object to the moneys of the Company being used for doles of bread. Can you quote an instance in which doles of bread are given away by a Company at the present time ?—It is given to the city parishes and the parishes distribute it. I mentioned that in my answer upon what should be done with the endowments of the whole metropolis.

1360. Are not the contributions to the parishes compulsory by law ?—I do not suppose the Companies would give the money unless they were compelled to do it.

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(1) *See* Goldsmiths Memorial, p. 305.

(2) *See* Ironmongers' Statement, p. 352.

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1361. Then the Companies are not responsible for distributing any doles of bread?—The distribution is according to the bequest of the donor.

1362. Have the Companies any control over it?—They have no control.

1363. Are they responsible if they have no control?—They have no control.

1364. Is it not the fact that the Companies have given up all such distributions, and that there is not one instance in which a Company doles bread?—I never knew that the Companies themselves actually distributed the bread, but they hold property clothed with trusts for that purpose, and it has to be distributed through another channel.

1365. I think you said that the funds should be applied largely for educational purposes?—Mainly, I think.

1366. Are you aware of the amount which is now paid annually in support of that object?—Since we started the agitation some seven years ago the Companies have made some strides certainly in that respect, and have come forward somewhat liberally, though I think mistakenly.

1367. Are you aware that by their returns they show payments of 155,000*l.* a year for education for a considerable time?—I have not seen that return.

1368. You have no reason to challenge it?—No; but it is all within the last seven or eight years.

1369. Did I understand you to say that Mr. Thwaites in making a bequest of 20,000*l.* to the Clothworkers' Company was acting like a lunatic?—He did a most foolish thing, in my opinion. Of course you ask my opinion upon it. I say that he did a most absurdly foolish thing. They had plenty already to make themselves comfortable with. It was simply overloading them with the means of gorging.

1370. Are you aware that Mr. Thwaites was not a clothworker?—I am not aware of it, but it would be equally foolish, I think.

1371. Then you think that for any person to spend money or to leave money to be spent in public entertainment must be almost a lunatic?—I think he could find better purposes for it.

1372. That may be a matter of opinion, I suppose. Do you really mean seriously to tell the Commission that the Companies' halls should be sold?—I think so, most certainly. I think they are not needed at all. For what purpose is that great Drapers' Hall wanted? For what purpose is the Clothworkers' Hall wanted? Simply for festivities, and I say it is time to put an end to the waste of money in these festivities, because it is trust money, which ought to be applied to other and better purposes; and inasmuch as the halls are not wanted for other than feeding purposes, they should be sold.

1373. Do you think the halls of the Livery Companies under any management could not be utilised for public purposes, and that they are not an ornament for the city?—We do not want so many museums in the city, but if you could convert them into educational museums they would be very good. I cannot see any other purpose for which they could be used. They are unsuitable for any business purposes, and in order to be utilised they would have to be pulled down and rebuilt. They are certainly an ornament to the city; they are beautiful buildings, and I admire them very much.

1374. Do you not think they may still continue to be used for public purposes?—I cannot understand what the grand staircase of the Goldsmiths' Hall could ever be used for.

1375. Perhaps you do not admire beautiful public buildings?—I do, very much indeed.

1376. (*Mr. Pell.*) Are the guilds under any obligation to reveal the amount of their corporate property?—Unfortunately this Commission cannot drive them to it. I think if there had been a proper Commission, that is, if there had been a Parliamentary Commission, giving the Commission power to enforce divulgement, it would have been better.

1377. I did not ask you that; I said are they under any obligation?—No, they are not.

1378. Without giving such power to a Commission, or without such an enactment, can you suggest to the Commission any way by which the amount of their corporate property could be revealed?—Except by those who have influence with the Companies inducing them to do so.

1379. Apart from that, from the outside?—It is impossible from the outside; I wish I had the power.

1380. By any civil power could it be enforced?—I do not know about that. I do not know how far a member of a particular trade might not move in the matter to get a *mandamus* or *quo warranto* or something of that sort. I have not considered the point.

1381. You have not considered the question of whether they are in the nature of trust property?—I have stated that in my opinion all the corporate property is coupled with trusts, and I base that opinion not only on my own legal knowledge, which is very humble in itself, but upon the opinion of Lord Selborne, the present Lord Chancellor, with regard to the property of the Inns of Court, which are not incorporated.

1382. Would the line be a very distinct one that could be drawn between property of a trust nature and that of a corporate nature?—The trust of course would be a distinct trust apparent on the title deed of the gift itself. If I had a house and were to say I give you my house, but you are to pay the rent to poor people, that would be a distinct trust; but if I gave it to the Company, and the Company had certain functions which it was its duty to perform under its charter, functions which were performed when the gifts were made, that property would be applicable to those purposes and to those purposes only.

1383. Might there not be some property which these Companies hold which would be of such a doubtful nature that an honest man, even a lawyer, might have a difficulty in impartially settling?—There is no doubt about it. Thwaites' gift is a case in point. Parliament alone can deal with that by legislation.

1384. Let us keep away from Parliament at present. If it be the case that the nature of some of this property may be doubtful and there has been misstatements (supposing that that is conceded) as to the real value of this property, might it not have arisen from the guilds being really unable themselves to say with respect to some of the properties whether they were corporate or whether they were trust properties?—I should think there could be no question whatever that all the property held by guilds from the time anterior to 1688 ought to be considered strictly corporate property, and public property.

1385. From when?—(1) 1688; that is when the severance from the trades began. I should draw that line for this purpose, just as the line of 1660 was drawn for the purposes of the Irish Church.

1386. I think you said no question had been raised before the court as to whether corporate property is trust property or not?—No, I do not know that it has as regards the property of these guilds.

1387. With regard to this trust or charitable property, as matter of history, when did it have its origin?—All of it before the time of James I., with the exception of a trifling part.

1388. Was it not after the Reformation?—A great deal of it after the Reformation, because the Church was the principal recipient of charity before that, and when the Church was no longer permitted by law to take gifts for what was called superstitious uses the Companies became the channel for the charitable to give their property to.

1389. Do you explain the origin of this large amount of corporate property to be this: that society (or the so-called charitable portion of it) was disturbed by the revolution of ideas as to the sanctity of property at the time of the Reformation, that they felt there was no longer the Church to leave the money to, and that

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(1) *See* Clothworkers' Observations, p. 333.

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then the charitable people cast about to see in what way they could get rid of their money very much like Mr. Thwaites has done at the present time, so as to satisfy their charitable impulses?—(1) There is no doubt that that is so. No doubt the charitable people found the Companies after that a suitable medium for distributing their alms, and therefore left their property to them, but anterior to that the Companies were very wealthy, in fact long before that time.

1390. You are familiar with the uses to which the founders of those charities left them generally?—Of course I have seen the reports of Lord Brougham's Commissioners, and there I find they give them for various purposes, some of which are no longer applicable.

1391. Do you think, to use your own term, that they were as foolish as Mr. Thwaites was in leaving his money?—As I did not live in those days I cannot form an opinion as to what the opinions of those days were. They might have thought it very proper to do what they did, but now we do not think so.

1392. Coming down to the time of Mr. Thwaites, or the present time, have you anything to say as to the unlimited right to dispose of property by way of gift or bequest to these Companies or Corporations?—Parliament has not interfered so far, and I do not think for some time Parliament will be advanced enough to do so; but I think in time we shall have a Parliament that will do so, and which will prevent these foolish bequests being made.

1393. You think that they will put some statutory limits on the power of testators?—Yes, it must come to that.

1394. Would you consider the revising the dispositions of property every 50 years a proper limitation?—50 years I think a very favourable period in the case of property so given.

1395. You think, as I understand, that the whole of the funds and the property of these Corporations should be brought into hotch-potch, and that some scheme suitable for the present condition of society should be made for the redistribution of it?—Yes.

1396. You did not exactly say what the scheme in your mind was, except that the funds should, for the most part, be appropriated to education?—They should be used for educational purposes, I think.

1397. 700,000*l.* a year appears to be the present value?—That would be nothing to the scheme which I have in my mind. I would have the city parochial charities dealt with in the same way; I would have all the big charity schools dealt with in the same way; the whole of the educational endowments and all corporate property held by these Companies should be brought into one mass, and I would establish large day schools in the various parts of London, and I would have no charitable schools like Christ's Hospital, where boys are clothed as paupers or anything of that sort.

1398. What sort of life would the boy of the future period lead with something like a million pounds devoted to his education?—A far brighter one than boys now can have.

1399. Your idea is that it would mainly go to education?—And technical education. It would be an extension of the purposes of the Companies.

1400. (*Mr. James.*) When you commenced your investigations into that matter you encountered a good many difficulties in finding any materials for the articles which you wrote, did you not?—Enormous difficulties. The only things I went upon were the public reports, which were very defective, as I found. Then I made a diligent search of the rate-books, and I myself went all through the city rate-books and found this out.

1401. I think you have seen a paper which has been circulated amongst the Commission, in which some extracts have been made from some letters which you wrote to the "Weekly Despatch," and which are signed "Censor"?—Yes.(2)

1402. I do not know whether you wish to say anything upon them to the Commission?—At the time I wrote "Censor's" letters—that was at the very outset of the agitation—very little was known. As we went on we gathered further information and became more authoritative. I think the only inaccuracy was this, that I said four-fifths of the entire city was vested in those Companies. I did not state it on my own *ipse dixit*, but I quoted it from an answer given by a common councilman to a Royal Commission in 1854. That is the only inaccuracy in all those 13 letters, notwithstanding the enormous difficulty we had in finding out anything about these Companies. Of course the others are mere argumentative matters, remarks, and observations. For instance, I have here the poor prisoners' charges. That is a thing as to which I found out afterwards that a scheme had been in Chancery which did away with the expenditure of this money in aid of "poor prisoners," and that it was used for a better purpose. To the contention that the guilds are private bodies like clubs "'Censor' answers that the Companies "exist and hold their property by force of their incorporation and under charters, so that there is no "analogy between them and these mere voluntary "associations." Then I find it stated in this paper of "Observations" on my letters that the theory of the Companies themselves is that "they are (1) "chartered Companies, (2) guilds by prescription, "and (perhaps) that as guilds by prescription they "cannot be legally dissolved or disendowed." Reverting to the subject of the corporate property of the Companies, "Censor" says:—"It is quite clear that "the open gifts to the Companies were bestowed upon "them when they took active part in the regulation "of the trades, when they insisted upon a due course "of apprenticeship, and not since the Restoration, "when they began to give up that control over trade "which they had exercised for so long a time." I state almost identically the same opinion to-day. "Their "private estates consist of the accumulation of funds "and gifts made to them in their direct connexion "with trades, and for the regulation and advancement "of trade." I have said so to-day. Then these remarks are made in this paper of "Observations:—"It is true that a very large proportion of the city "property now held by the Companies has been held "by them since before the Restoration. The charters "of James II. often contain long lists of houses. "But the Companies must at all times have been "full of non-craftsmen, and there is no evidence that "any considerable amount of city property was left "for any trade purpose. The searches and apprenticing were mostly paid for by the fees of the con- "victed tradesmen and the parents." I say that all the property which they had so long as they carried on the functions which they had under their charters was given to them and held by them for the purposes of those functions alone. In the same paper is this further contention, "The Companies might also urge "that much of the property alluded to is 'chauntry' "land, which is absolutely theirs by Act of Parliament." When superstitious uses were declared illegal the Companies bought their property back from the King, that is the land forfeited; but with what money did they buy it? The accumulated fees and funds. They did not waste their wealth in festivities, as they do now. It was with the wealth accumulated by the exercise of their chartered functions that they were able to buy these lands back, and all the "chauntry" land bought back was bought back with money received under the charters, and is trust property.

1403. At the bottom of page 3 you speak of the Innholders' Company "spending its whole income in "court fees, and entertainments." I believe that relates to a statement which actually appeared in the

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(1) *See* Clothworkers' Observations, p. 338.

(2) A collection of the letters signed "Censor," in the "Weekly Dispatch," was placed at the disposal of the Commission by Mr. Firth. "Censor's" authorities appeared to be the same as Mr. Beal's (*see* supra, p. 116).

"Morning Advertiser"?—Yes, it is a statement that was actually made.

1404. It was reported in the paper, was it not?—I heard it from the very man in reference to whose speech that remark was made—that was Mr. John Robert Taylor.

1405. You thought some of the money which had been spent by the Companies in connexion with educational movements in the last few years has been mistakenly spent?—I think so. At the time when this technical college idea at South Kensington was promulgated I thought a good deal of the matter, and having given a good deal of attention to it I wrote an article in "Frazer's Magazine," in April 1881, in which I stated that I thought the hurry in maturing a scheme like this was rather disrespectful to your Commission, because until the Commission had finished their labours it would have been as well and more decent in my opinion if the Companies had held their hands before establishing such a college as this, because the conclusion to which the Royal Commissioners might come might not be quite in keeping with such a scheme.

1406. You think if they had awaited the report of the Commission they might have acted in concert in some better matured scheme?—I think so. I think it is absurd to have a technical college at South Kensington far away from the artizans who can never go to it. Like the School of Cookery it will become fashionable, and the artizan will be elbowed out just as I say in the article referred in "Frazer's Magazine," "Sarah Jane is ousted by Lady Georgiana from the "cooking classes."

1407. You stated that the funds would be well given for educational purposes, and what you meant generally by that answer was that the funds of the Companies ought to be much more utilised at the present time for education than they are?—If you can find some better purpose than education well and good, but let it it be the very best purpose that can possibly be found. If you could have open spaces, or something of that sort, or hospitals, I should have no objection to that mode of applying some of the funds.

1408. You think the schools or colleges ought to be accessible to the people themselves, and not established at any distance from them?—Most certainly.

1409. If you think that the whole of these funds should be brought into hotch-potch, and brought together, can you suggest any body that you think ought to undertake their control for the future?—The charities of London are so enormous that either there should be a separate Charity Commission for London alone, or the staff of the present Charity Commission should be increased, and there should be a sub-body, as it were, for London; but it would be far better, in my opinion, that it should be a representative body, a duly elected body, elected by the whole of the metropolis having control over these vast funds.

1410. You think that there might be some popularly elected body who might control them?—Yes.

1411. Suppose the affairs of all the Companies were to be placed in liquidation, have you thought out any scheme under which you would provide compensation for vested interests, and what vested interests should be compensated, such as officers, for instance?—The only vested interests are those of the officers. I know nobody else who would suffer by it. Those who have joined the guilds have had their benefits out of them already.

1412. You stated at the commencement of your evidence that you contended that the Companies were public bodies, and you made some quotations from speeches by Lord Selborne. Do you not think that they may be also considered public bodies by reason of their connexion with the corporation?—I think so, certainly

1413. Do you consider that they form part of the corporation?—I think they are municipal bodies.

1414. Do you think they form part of the corporation?—Yes, they do.

1415. Do you not think it may be urged that their connexion with the corporation is only an incident of their existence?—I do not think it was so. I think they are an essential and integral part of the corporation. The Lord Mayor is elected by them, the Chamberlain is elected by them, the Bridge-master is elected by them, and the auditors are elected by them, such auditors as they are.

1416. No control whatever has been exercised by the corporation over the funds of the Companies within the last 200 years. I believe that is so?—No, unless you come to the Irish estate; and, really, the Irish estate is public property. It is in no sense private property. The contributions made by the Companies were simply got from the Companies as the instruments of raising rates in the city of London; nothing more than that. They were not voluntary gifts at all.

1417. That would be 200 years ago?—200 years ago.

1418. In the last 200 years do you know of any case in which the corporation has interfered with the property of the Companies?—No.

1419. Notwithstanding that you clearly think the Companies form an integral part of the corporation?—(1) I do. They exercise municipal functions.

1420. (*Mr. Firth.*) There was a period a few centuries when no one had any rights whatever in the corporation, unless he were a member of one of those Companies, was there not?—He could not carry on anything within the walls of the city unless he was a member of one of those guilds.

1421. And the corporation itself was elected by liverymen of the guilds in the time of Edward III.; is not that so?—Do you mean the common council?

1422. Yes?—I am not aware of that, but the aldermen were, and the Lord Mayor. I am not aware as to the common council; in fact there was no common council, originally it was the Lord Mayor, aldermen, and livery.

1423. At the present time every alderman of the city of London is a member of one of these Companies. Are you aware of the fact that every alderman must be?—I will not say must be, but necessarily is so. I am not aware of any alderman of the city of London who is not a member, and, as a rule, men who have aldermanic ambition join three or four of the biggest Companies, and directly they are made aldermen they are placed on the courts of those Companies and made assistants.

1424. The election as alderman is, according to your investigations, one of the qualifications for the Court of Assistants of the Companies?—It is a great one.

1425. I notice in this paper which has been sent round that at the bottom of page 4 it is stated, "an "aldermanship, a seat in the court of one of their "friends, and its etceteras, are worth from 4,000*l.* to "5,000*l.* a year." Is that your writing?—I am not responsible for "Nemesis;" "Nemesis" is another gentleman. I think you have had him before you already from what I understand, but I can say that I think I am responsible for the allegation.

1426. Tell us what the justification for it is?—I was in the city and I had a conversation with a gentleman who had aldermanic ambition and was actually put up for the aldermanship, but was not elected. He had a very large business in the city, and he said he meant to join three or four of the biggest Companies, and as soon as he was an alderman he would go on to the courts of each of those Companies, and he said that that would double his income, and from my estimate of his business I imagined that that would be 3,000*l.* or 4,000*l.*

1427. You did not in going through this paper of "Observations, Censor's Letters," make any observation about the comment number 3. It was suggested "that the Companies might also urge that "their London house property was burnt in the fire "and restored by individual members at a time when "the Companies had little to do with the trades, and "(2) that the great increase in its value has taken "place during the last half century;" have you any-

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(1) *See* Grocers' Statement, p. 273.

Mr. J. R. Phillips.

10 May 1882.

thing to say upon those two points?—Certainly. If the increase in value has occurred in the last half century it is an increase that ought to be applied to the same purposes as the original property was, and as regards saying that property was burnt in the great fire and rebuilt by individual members it is not so. The land was let for building purposes in the same way as that suggested by the Commissioner opposite me; the Companies received ground rents and afterwards they became proprietors of the buildings as well as the ground. They were not the property of individual members in any shape or form.

1428. You have not seen these returns of the Companies, have you?—I have not seen the returns, but I have seen a paper which sets forth an abstract of the returns, and there is a large sum there applicable to educational purposes. At page 2 I find there for educational purposes 115,000*l.*, of which 75,000 is trust, and only 40,000*l.* corporate property 75,000*l.* is actually trust educational funds, and 40,000*l.* is the amount of the corporate funds.

1429. With respect to that 40,000*l.*, so far as it is expended on technical education, that has been a device or an arrangement that has been developed since the agitation against the Companies?—Undoubtedly.

1430. And in consequence of it you think?—So far as I can judge.

1431. You have not seen the returns of the Companies themselves; could you form any opinion if you saw the returns as to whether they were complete or not?—I have not seen the returns.

1432. For instance, take the history of the Mercers' Company; if you had a return of the Mercers' Company could you from your knowledge tell us whether it was complete or not?—If they divulged the places they own, described the property, and so on, I could very soon find out whether it was true and exhaustive or not; that is if they specify the actual properties.

1433. (1) You have been asked as to members of the trade not being members of these Companies; is there any case that you have found in your investigation where any Company was ever formed that at the time of its formation, or at the time of the grant of the charter to it, had any member belonging to it who was not a member of the trade?—No.

1434. So far as you are able, from your investigation to form an opinion, is it not a fact that at the time of the formation of the Company every member of the Company was a member of the trade?—Certainly.

1435. Just one other question about mortmain. You say you think the real estate of these Companies ought to be sold?—I do. I think it is impolitic that any land should remain in the hands of undying bodies.

1436. What are the disadvantages of its remaining in the hands of bodies like these Companies?—It is an advantage to have land in the market that it may change hands. It is also a great disadvantage that these Companies pay no succession duty. They do not pay one farthing succession duty. I have gone over the Domesday Book very carefully, and I think from what I have found out in that book, and having regard to the information obtained on the examination of the city Companies' property also, there seems to be something like a loss to the country (putting only 10 per cent. on it, which is treating them as intestate strangers) of over a million a year.

1437. I will just put this question to you upon that point. The total rental, or the total yearly value of land held in mortmain in this country, is slightly over 10,000,000*l.* stering, is it not?—It is more than that.

1438. You may take it that it is slighty over 10,000,000*l.* sterling—how then do you make out your calculation?—I would consider them as dying every 20 years, that is really the average lifetime of an owner of land so far as I can find out. It is not to extend to a life of 30 to 31 years, as it has been suggested here, and I should impose the "stranger in blood" duty of 10 per cent., which would be half per cent. per year, and I should have re-valuations of the property made every 20 years.

1439. (*Mr. Alderman Cotton.*) Are you aware of the number of liverymen and freemen in the city interested in this 700,000*l.* a year?—The only parties that I know interested in it are the members of the Courts of Assistants, and they are somewhere between 10 and 30 in number to each Company.

1440. Would you not admit that the whole of the 18,000 liverymen are interested in it?—7,000 liverymen and 14,500 freemen.

1441. I mean 18,000 freemen and liverymen. Would you not admit that all those have an interest in the property as time rolls on?—A very remote interest.

1442. It comes in time to very many of them, does it not?—There seems to be great grumbling against the formal character of the courts, and with respect to persons who are passed over and who, according to seniority, ought to be admitted into the courts.

1443. You are aware that the guilds of the city of London are, as it were, middle class institutions, are you not?—Yes.

1444. And that it is really a pride for citizens of London and well-to-do men to attain a position on the court of a Company and to become the warden and master of it in good time?—I have no doubt that it is an inducement to them to join the Companies, but there are other inducements also. They have the management of large estates, and they actually get very good fees for their attendance upon these courts, which I cannot find any reason whatever for their taking. I find nothing in the world in any of the charters about these fees to the courts. I do not know when they began to take fees for courts.

1445. In unity with that question, you do not seriously believe that the position of a liveryman is worth from 4,000*l.* to 5,000*l.* a year, from the simple fact that he might be a member of three or four of the guilds and have fees from those guilds, do you?—(2) I do not say so. I simply state that a gentleman who was nominated for alderman, who was a prominent member of the Common Council of London so stated to me, that he would double the value of his business, and his business I estimate really at 3,000*l.* or 4,000*l.* a year.

1446. You intimated just now, at least so I understood it, that the fees alone that he would derive from those Companies would give him that 4,000*l.* to 5,000*l.* a year?—I never said anything of the kind. It was simply a correction of a remark made in this paper upon a statement in a letter of "Nemesis," and I said I was the father of that allegation by "Nemesis." I believe I must have told Mr. Beal so, and it was stated to me by a gentleman in London who was a member of the Common Council, and nominated for the portion of alderman, that that was so, and that generally in anticipation of becoming an alderman it was usual to join two or three or four of the biggest Companies, and as soon as they became aldermen they were, as a matter of course, promoted to the court.

1447. Are you aware that for the court fees that they receive they give from three to five hours' work when they attend their courts?—I have no doubt that they give their time; there is no question whatever as to that. But inasmuch as this is all trust property, I do not think the trustees have any right to take any payment whatever.

1448. The court fees are not from their trust properties?—That is the questioin. I submit that all the property is trust property, not trust property, accountable to the Charity Commissioners, but trust property, nevertheless.

1449. You will admit, just for my argument, that we do not touch the properties recognised by the Companies and the Charity Commissioners as trust properties?—The admitted trusts which you give an account of to the Charity Commissioners are distinctly trusts, but the other corporate property I claim also to be trust property.

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(1) *See* Ironmongers' Statement, p. 352.

(2) *See* Ironmongers' Statement, p. 352.

1450. I am not quite certain about this, and hardly wanted to put the question to you on that account, but I fancy at the time of the formation of the Charity Commission they sent down persons to examine the deeds of the respective Companies, and then determined which were trust deeds and which were not, is not that so ?—The Companies had the selection of what deeds they should produce. They did not exhibit all their title deeds, and according to this story of the Clothworkers' clerk they denied many of the deeds, and said that they had been burned in the fire, and afterwards admitted that they had not been so burned.

1451. That might have arisen from ignorance on the part of the clerk, might it not, for the time being ?—The fraud, admittedly in that case.

1452. The clerk is responsible for that, is he not ?—Admittedly; he was expelled.

1453. That could hardly apply to all the other guilds, could it ?—I do not think it appears anywhere (and I am not under that impression) that the city Companies did at the time of Lord Brougham's Commissioners exhibit all the title deeds of all their property. I think they themselves made the selection, and said what was trust and what was not, and exhibited the title deeds only of those that they admitted to relate to trust property.

1454. Do you believe that a body of citizens who compose the court of a Company, and under whose directions all these returns have been made, would be capable of doing what you assert here that they would, namely, that they have not produced the title deeds of all their property ?—I contend that they have not produced every title deed in their possession. They made a great fight against it, and quoted some Lord Chancellor who said, "Never produce your title deeds." And it is a fact that they have not exhibited all their title deeds.

1455. Do you give that as evidence from facts you have ascertained, or are you merely giving it as an opinion or conclusion of your own ?—What I have stated as opinion I have so stated; what I have stated as fact I have so stated it.

1456. (*Viscount Sherbrooke.*) Would you sell the whole of the property of the Companies ?—Yes, I think I should.

1457. And you would devote the money to educational purposes, as I understand ?—Mainly to education.

1458. Is not education provided for already ?—Primary education only; this would be for intermediate education, University education, and the promotion of deserving objects from the board schools and passing them upwards to the Universities. I should also devote a large sum to technical education.

1459. Are you of opinion that you would necessarily do great good by giving people a very high education without giving them any means when they had got it for employing it ? Is there not very considerable difficulty in that ?—I do not think so.

1460. If you make of a man a good Greek scholar and he has not a shilling in his pocket, what would be the result ?—The German nation are very highly educated, but they do not disdain doing menial labour. The Americans also are a very highly educated people; they do all sorts of laborious and manual labour though they are so educated. It is an advantage to everybody, no matter what his position in the world is, to have the best possible education; there can be no question about that.

1461. Are you quite clear that that is the best way in which the money could be employed ?—I think so. I should also apply some towards hospitals and open spaces, and some such worthy objects.

1462. Supposing that London were made into one great municipality, do you think the money might be properly employed in relieving the rates ?—If the municipality were a truly representative one I think the management of the funds should be entrusted to that body, Parliament having decided how the funds should be applied.

1463. Not for municipal purposes ?—No; I think Parliament should decide what should be done with this property.

1464. Would you trust any municipal body with the expenditure of a sum of money of that kind ?—If an elected body.

1465. You think the result of experience is that election is a sufficient safeguard ?—I think the public voice would soon put out anybody who would tamper with their interests.

1466. That has been your experience ?—I think so.

1467. Even in matters in which the people were not themselves very much concerned ?—They soon would be concerned in the application of this vast fund, and the education which is now being given to the working classes would make them all the more on the alert for the proper application of these funds.

1468. You think that really by raising very highly the education of the people who have not got any immediate means of employing that education you would be conferring a great benefit upon them, are you satisfied of that ?—There is a question as to the making use of particular means of education. I think that education is good in itself; whether the man educated is likely to elevate his position and get out of one class or rank into another is another matter.

1469. By giving a man a certain taste of knowledge who has no money or position to support it, do you think you are necessarily making him a happier, wiser, or better man ?—He would have so much self-respect encouraged by this education that he would work and obtain the money, and so live a happier and better life, and the taste he would acquire would elevate him altogether.

1470. (*Lord Coleridge.*) Let me ask you one question which may possibly alter somewhat the tone of the examination. I do not know whether you would admit that it may be very possible for a system to be bad without the men who come into it to administer it being themselves dishonourable or bad ?—Never in my life by one word that I have ever written have I suggested any dishonour to any single member of these Companies. They have learned to administer the property in this way; they think it is no harm so to do; they contend that it is theirs, and that being so they are acting as any other honest men would do having such views.(1)

1471. It is open to the suggestion that this is not the best way of managing the property without suggesting that the people who manage it are not honest ?—I have never suggested that they are not honest. They contend that it is their own property to do what they like with.

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(1) *See* the "Observations" of the Goldsmiths' Company, p. 310.

Adjourned to Wednesday next at 4 o'clock.

EIGHTH DAY.

Wednesday, 17th May 1882.

PRESENT:

THE RIGHT HONOURABLE THE EARL OF DERBY, CHAIRMAN.

HIS GRACE THE DUKE OF BEDFORD, K.G.
THE RIGHT HON. VISCOUNT SHERBROOKE.
THE RIGHT HON. SIR RICHARD ASSHETON CROSS, G.C.B., M.P.
SIR NATHANIEL M. DE ROTHSCHILD, BART., M.P.
SIR SYDNEY H. WATERLOW, BART., M.P.
MR. ALDERMAN COTTON, M.P.
MR. WALTER H. JAMES, M.P.
MR. JOSEPH FIRTH, M.P.
MR. THOMAS BURT, M.P.

MR. H. D. WARR, *Secretary.*

MR. WILLIAM GILBERT was called in and examined as follows:—

Mr. W. Gilbert.
17 May 1882.

1472. (*Chairman.*) I think I need hardly ask you whether you have given much attention to matters relating to the city companies and the charities?—I have given a good deal of attention with regard to the city generally, including the Corporation, the companies, and the charities, but not especially the companies.

1473. But you have considered the question of the function of the companies in connexion with your inquiries into the general condition of the city administration?—Yes.

1474. You have published a book, I think, within the last few years upon the subject?—Yes; but I begun before that. It was, I think, about 20 years ago that I was asked by some of the guardians in one of the poorer parishes in the city to write a pamphlet. They were getting up an agitation with regard to the poor rates difficulty. After I had done that I wrote some articles, one in the Contemporary Review, another in the Fortnightly, another in the Nineteenth Century, and a couple of books upon the question.

1475. I think I am right in supposing that you have formed and expressed a strong opinion as to the action of the city companies in connexion with the poorer population of the city?—Yes, particularly so.

1476. Perhaps you will state, in your own terms, what you consider has to be complained of in that respect?—What is complained of took place after the equalisation of the poor rates in the city. Before that it was the custom for the owners of house property in the city, especially the city guilds, to drive the poor out of their districts into the poorer parishes; but when they all had to pay equally, then they were all equally interested in getting rid of the poor, and the result has been that the poor have been almost entirely driven out of the city of London. But that is not the principal point I wish to bring under your Lordship's notice. In London, whenever a house is destroyed and a new one erected, in almost every case, especially with regard to those of the city companies, a clause is inserted that no person shall be allowed to sleep upon the premises, thereby totally prohibiting the poorer classes from returning. In Paris, on the contrary, wherever an alteration or improvement was made, it was not allowed to be commenced until equal or a greater amount of provision for the industrial classes who were to be removed by it was provided.

1477. Do I understand you to say that the city companies especially have taken action in this way, or that they have only followed the general practice of house owners in the city?—They have followed the general policy of the house owners in the city; but holding the enormous amount of property they do in the city, their action has been most prejudicial to the comfort and well-being of the working and industrial classes generally. By industrial classes I mean such as clerks and others whose incomes would be under 200*l.* or 300*l.* a year.

1478. Do you put it in this way: that you consider an obligation lies upon them which does not equally lie upon private owners of land or houses, to use their own property for the special benefit of the working classes. Am I right in putting that interpretation upon what you say?—Hardly. I want merely to say this, that when the enormous amount of property in such a small area as the city is held by the livery companies, and they prohibit the return of the working classes there after driving them away, it is a very great injustice, because it drives them from the centre of their work and puts great labour upon them as well as a greater amount of taxation.

1479. Do you know what proportion of the area of the city is owned by the city companies?—I am unable to state exactly, but I should mention that I look upon it in this way,—that all the Corporation properties of the city belong to different guilds, therefore I am unable to separate the two. I know they are separated, but where the line of demarcation between them lies I do not know.

1480. As I understand you, your complaint is, that the land owned by the city companies is used in such a manner as to make it impossible for working men to reside upon that land?—(1) Precisely. By an example I think I shall be better able to explain what I mean. In Coleman Street there is a clock in front of one of the houses; underneath that clock is a passage into Basinghall Street. This is the property of the Merchant Taylors' Company. Ten years ago the whole of it was let for 750*l.* a year; the lease fell in; they renewed it at 2,300*l.* a year under the condition that the whole of the building should be pulled down and about 200,000*l.* expended upon it in chambers; but with a strict clause in the lease that no one should be allowed to sleep upon the premises.

1481. If that had been done by a private person I presume you would not have thought it a matter of complaint, would you?—I would not state that. I think that the working classes and the poorer classes have a right to be taken into consideration by the civic authorities in the same way as they are by Parisian authorities, and even in Russia as well. There they have taken them into consideration and provided that the poor shall have some provision made for them, and no injustice done them.

1482. The injustice that you complain of is that in consequence of the owners of house property not finding it lucrative to provide lodgings for the working classes, those classes are not able to find accommodation within the area of the city?—Granted; and yet not precisely so. When they were driven from the city they went over into Blackfriars, or between Blackfriars Road and Southwark Road. The Corporation and the Board of Works then formed a line of buildings which are at present called Southwark Street, passing through the most densely populated portion of the locality, thus driving away an enormous number of the inhabitants; but no dwelling-houses have been built there, with the exception of one block of Peabody Dwellings, although an enormous number of the working classes are employed upon the banks of the river.

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(1) *See* the Memorandum of the Merchant Taylor's Company (*infra*, p. 265.)

Mr. W. Gilbert.

17 May 1882.

1483. Are you speaking of the land that has been cleared on the two sides of the street?—The land that has been cleared on the two sides of the street; that will be the work of the Corporation, and as I hold, the Corporation comprises the members of the city guilds, or the greatest portion of them—the majority.

1484. Do I understand you that the greater part of that land is owned by the city companies?—No, it was bought by the Metropolitan Board of Works, and there was no opposition to it in any manner whatever, because in the precincts of Southwark the city itself had a considerable amount of interest.

1485. In that case all that you complain of is, that the city companies did not interfere with the manner in which the Metropolitan Board of Works dealt with the land?—The city companies owned the land; they drove the working classes out in a north-easterly direction. This especially told upon St. Bartholomew's Hospital, which was the great centre of medical relief for the city. I took the returns some time ago from St. Bartholomew's Hospital, and I found that the average distance every out-patient had to go was about a mile and a half, and a mile and a half to return.

1486. Does it not come to this, that the central area of London has become enormously valuable as a site for business premises, and that therefore dwellings for the working classes erected there, if they are to be made to pay and if the fair commercial price is given for the sites upon which they are built, will cost the working man much more in rents than they will at a greater distance from the centre?—That it has increased enormously in value there is no doubt; but still, for all that, they have built houses that cannot let, whereas they might have built houses that might have been let; for example, if you take from Holborn to the Minories, at the present time there are 2,000 sets of offices vacant that they cannot find tenants for. There is one house near the Blackfriars Railway Station, the value of which is 2,000*l.* a year, and there they have been able to let only one set of offices for 60*l.* a year; the whole of the rest is lying idle, and the ratepayers of the metropolis are taxed for it. There are a great number of other cases of the same kind in the city. In the case of the Merchant Taylors that I was speaking of, not one half of the offices are now let.

1487. In that case, will not the evil cure itself; if the building of offices has been overdone, will it not be discontinued?—In a great measure. Frequently the city companies and the Corporation will keep land idle that may be productive rather than let it in such a way that the working classes or the poorer classes may benefit by it. If you will allow me, I will give you an example. Some years ago Lady Augusta Stanley wanted to start a school for nurses, and the Westminster Hospital agreed to train her nurses. She asked me to come upon her committee, and I was also asked to look out for a piece of land as a site for their home. I looked at a piece of land within about 100 yards or 150 yards of the house in which this Commission is sitting. I asked the agent how much frontage it had. He told me about 900 feet, and asked how much I wanted; I said about 80 feet. The price he asked and the price we paid for it was 10 guineas per lineal inch. I said to him, "this land has been lying idle, to my certain knowledge, for the last 25 years." "Yes," he said, "for about that time." "To whom does it belong," I asked; he replied, "It belongs to a charity school, and the Corporation of the city of London have an interest in that charity school." I asked whether they were interested in any other land near it, and he told me there was a great deal more, and gave me an instance within 100 yards of this house. It appears from this that about 17,000*l.* charitable endowments have been lying idle and wasted for 25 years. I then went down to the school board, and asked them what would be the expense of educating the whole of the inhabitants of the city of Westminster under the school board. They gave me a memorandum, which is in my hand at the present moment, and the amount represents 7,864*l.*, including stationery. That is to say that the whole of the poorer inhabitants of the city of Westminster might be educated gratuitously, without taxing the parents or the ratepayers for a single farthing, merely with the value of the land that is at the present time lying idle within 150 yards of this house.

1488. I presume you do not pretend that the ratepayers or the inhabitants of Westminster have any more right to gratuitous education than the inhabitants of any other part of the country?—Certainly not; but if they have inherited the endowments they have as much right to them as the wealthier class to their endowments.

1489. What do you call the inheritance?—I mean to say if left for endowment the poor have as much right to profit by it as the rich by their endowments.

1490. In this case you are speaking of land specially left for educational purposes?—For educational purposes alone.

1491. Take the case you have put as to the alleged exclusion of the working classes from the area of the city. I do not understand you to contend that there is any special intention of driving them out on the part of the companies, but merely that they, like other proprietors, let their land in a manner which they consider the most profitable?—It is the most profitable to themselves, because if they get the working classes out of the city they escape the inhabited house duty upon their new buildings.

1492. That, I presume, is the meaning of the rule of which you spoke just now, that no one is allowed to sleep on the premises?—Precisely.

1493. But in point of fact they have simply acted, as I understand you, like all other proprietors?—In other countries there would be a law against that altogether, not only in France, but in Italy and Germany, and other places where they are always taken into consideration, and it is not allowed to be considered an act of good management simply to drive them away. I will take particularly the ejection—eviction will perhaps be a better term—of the inhabitants of the city of London in the north-eastern districts of the metropolis. The centre of their medical relief will be St. Bartholomew's Hospital, but they are completely driven away from that, and as they have been driven away from it the value of the land belonging to St. Bartholomew's Hospital has increased enormously in value, and the benefit intended for the poorer classes has not been given to them.

1494. Do I understand you to put it in this way, that if I or any one of us owns a piece of land in the city on which a certain number of working men have lived, you think that we ought to be bound to continue that land in the occupation of workmen, and not to apply it to any other purpose?—I do not mean that at all; but if 40 or 50 gentlemen join together and claim that it shall not be done, I say it looks very much like a conspiracy against the well-being of the industrial classes.

1495. You do not object to any individual doing it?—No.

1496. But you do object to a number of individuals doing it?—Certainly.

1497. Even although they may each of them be acting independently upon the same principle and without any combination among themselves?—It is merely one common interest actuating the whole.

1498. Then to sum it up in one word, you think that the owner of building land in the city is in this position: that he is morally bound, and ought to be legally obliged, to let his land or a great part of it, for the use of the working classes, although that is not the most profitable use to which it could be put? No, certainly not, in any manner whatever; but 50 or a 100 persons joined together in a city guild for that purpose, is a very different point. I do not mean to say that I am right, but I can state that in every other country in Europe it would be held so; and I cannot understand why it should not be so in England.

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1499. What is it that you would think it right to prohibit? You say you would not prohibit any individual or any single owner from letting his land as he thought best?—Allowing that to be the case; if the individual drives the poor away from the place to which the charities intended for the poor is limited he deprives them of the benefit of those charities by his action, and I say that the sympathies of most right-minded men are with those poor people, and if that state of things can be altered, it ought to be altered.

1500. Is there not an alternative remedy for that, namely, to extend the area within which the charities may be distributed?—Certainly; that is the very point I was coming to. That is precisely the principal reason why I asked to be examined.

1501. You do not contend that the companies should be bound to build lodging-houses in localities where offices or warehouses would be more profitable? —No, I do not care about that, provided that the inheritance of the poor (that is to say, their charities and endowments and things of that kind) follows them where they go.

1502. But in that case is it not easier to bring the charities to the poor rather than to keep the poor within the original area of the charities?—Certainly in the present instance it is so, in the commencement it might have been different.

1503. I understand also, you think that there ought to be a closer connexion than at present exists between the trades and the companies' charities?—Most certainly.

1504. Do you consider that the charities should in the main be appropriated to benefit the trades whose names the companies bear?—I think that first of all their duties in relation to the trades ought to be taken into consideration, for example, I hold that certain portions of each livery companies special charity funds, such, for example, as that mentioned in the Goldsmiths' first charter for the relief of their blind operatives, should be applied to their original uses.

1505. For instance, a proportion of the Merchant Taylors' funds should be applied for the benefit of the tailors generally, you mean?—Yes, and that used to be the case. If you look in Machyn's and Stowe's diaries you will find they give a description of a dinner at the Merchant Taylors' Company, and also describes the Merchant Taylors' School, in which there was not a boy in the school that was not the son of a tailor.

1506. What date was that?—It would be about the time of Elizabeth or that and James the First.

1507. You say there was not a boy in the school that was not the son of a tailor?—That was not the son of a tailor. In 1812 there were but 12 boys who were the sons of tailors.

1508. You are aware that at the present time the freedom of the company can be obtained by patrimony, and that therefore a large number of freemen, probably the greater majority are not in any way connected with the trade?—I am perfectly well aware that it is so. With the Mercers' and with many others also it used to be the same, yet they now state that since the time of Charles II. it was not the case. In 1701 Sir William Gore was chief magistrate of London. He belonged to the Mercers' Company, and he boasted that there was not a man upon the company who was not a mercer, while other companies had admitted strangers. Beyond that, again, in D'Israeli's Curiosities of Literature, mention is made of a song that was used on the procession on Lord Mayor's day, in which the words were to the effect that the mercers had kept their company to the trade to which they belonged, and yet the Mercers' insist in the present day that it was not the case; that it was by patrimony, and that there were no mercers belonging to them. However, with regard to these companies, you will find in several of the Camden Society's publications many statements as to the close affinities existing between the trades and the companies.

1509. How do you reconcile that close connexion between the companies and the trades, with the fact that the son of any member of the company had a right to become a member of the company himself, although he might not follow the trade represented by the name of the company?—That was not so at the commencement. I am merely speaking as a man of science and a literary man; I am no lawyer.

1510. Have you considered the question at all of the manner in which the companies administer their affairs?—Yes, and certainly it seems to me almost inexplicable. If you look at the original charter of the Goldsmiths' Company you will find a great portion of their funds was distinctly for trade purposes and charitable purposes. At the present time I think they subscribe 600*l.* a year to some benefit associations among the operative goldsmiths, and that is all. The value of the clerk's appointment compared to the money they give in charity is simply perfectly absurd.

1511. Do you consider that all the members of certain trades in London have a right to be members of the company?—I consider that upon paying a certain entrance fee, they have a right to be elected members of the company, and that they should make the fees paid a sort of benefit fund *plus* the original endowment, but not the whole of the funds. I think the greater portion of the funds should go to benefit the metropolis at large, and the poorer classes in greater proportion than any other.

1512. Take, for instance, the case of the Merchant Taylors', you think that all the tailors of London would have a right on payment of some moderate fee to enter that company?—I do.

1513. Would you extend that beyond London?—I forget to what distance round London the powers of the Merchant Taylors' Company extend, but the powers vary, I think, from three miles to eight miles round London.

1514. You have considered the matter a good deal; if you had to deal with the question of re-organising the companies, what would be your proposition; in the first place, would you re-organise them, or would you abolish them?—I would rather wish, provided the benefit funds could be given to the members of the trades, to abolish them; but, as I have stated before, I have merely paid attention to the abuses that exist, leaving it to those who are wiser than myself to form such regulations as shall place them to better uses than they are placed at present.

1515. The chief abuse about which you have told us as yet is the driving of the working classes away from the city?—Yes; but will you allow me also to state this, that the English practice in this respect is directly contrary to the usage prevailing in all the capitals of Europe besides our own; you cannot find anywhere evictions carried out to the same extent as in London (and the precincts thereof).

1516. Carried out in consequence of any special legislation do you mean, or merely by the ordinary operation of the law which enables every house owner to choose his own tenant?—A great deal by legislation; that is to say, if a street is required it is invariably required through that portion of the place where the densest population is to be found.

1517. Is that because the land is got cheapest there, or what is it due to?—They quote that as one reason; but it looks also as if it were intended to get rid of the tenants. That is the appearance it bears.

1518. Have you considered the question as to the halls of the companies. We have heard it stated here that they were assessed below their proper value; is that your opinion?—I am hardly capable of forming an opinion as to that. I have followed Mr. Beal's authority upon that point. He is much more up in the subject than I am.

1519. (*Mr. James.*) You have stated in your proof that the income of the clerk of the Goldsmiths' Company is 5,000*l.* a year?—Pardon me, I think it was 4,000*l.* a year. I stated that it was equal to, or that his incomes were equal to, at least 5,000*l.* a year. I think I made my calculation on the basis that it was equal to the emoluments of the head clerks of

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the Inland Revenue, the Charity Commissioners, and the Ecclesiastical Commissioners put together.

1520. Upon what information was that statement made ?(¹)—He had, I think, 1,800*l.* a year for his own salary; his son to assist him in his manifold duties had 780*l.* a year more; he has a very magnificent house and offices in the hall itself. Beyond that again he was secretary to the Assam Tea Company, which he was the principal man in getting up, and besides his salary he has a gratuity of 2,000*l.*; I think it was for his great labours. He was also one of the leading men of the New River Company, and I believe of one or two other things as well.

1521. Do you think that the clerk of one of the city companies ought to be strictly limited to the discharge of a particular duty ?—Judging from what the duties, for example, of the Postmaster General and a few others are, I think he ought to be limited to the amount that he would receive for his duties. For his son's and his own and his law duties he would receive the income of the Postmaster General to begin with, and those I think would be sufficient for any man to occupy himself with.

1522. Supposing his other duties were efficiently discharged, do you see any objection to his discharging official duties in connexion with other bodies ?—No, but I think if he has so much time on his hands in which to perform other duties as well, the income he receives from the Goldsmiths' Company is somewhat in excess; it is in excess of what it used to be formerly, at any rate.

1523. And disproportionate to the duties you think it likely he has to discharge ?—I do not know what the duties are that could make them so onerous.

1524. I want to ask you one or two questions with regard to your statement as to the exclusion of the working classes from the city. Always with great public improvements a large proportion of the industrial population is displaced; but with these public improvements in a large metropolis, and a large town, they contribute to the general wealth. To what extent do you think that the interests of a particular class ought to be made superior to those of the general community, and of the general wealth ?—If the necessity really exists, but from the number of empty chambers in the city at the present time, I maintain it does not exist. I think if they are driven away three or four miles or anything of that kind, the charities ought, or some portion of them ought, to be sent where the poor people may profit by them. For example, as I said before with regard to the sick, and the position of St. Bartholomew's Hospital, that is the occasion of very great hardship. I should like very much, if you will allow me, to give you a case in point. About five months ago a woman was, one Sunday evening, going in a tramway car from Shoreditch up to Clerkenwell, where she lived. The conductor was not there, and as she was getting out of the car she was thrown down and struck her head against a stone. She was taken to the house of a Dr. Powell, by a policeman and one or two other people; he asked whether she was sober, they smelt her breath and found no taint whatever of drink; the doctor then said, "Take her to St. Bartholomew's Hospital," which was about a mile off; "tell them I have examined very closely into the case, and the woman is not intoxicated." She was insensible and was carried to St. Bartholomew's Hospital. She was there kept for some time, and they attempted to bring her round. They galvanized her, and used several other means of restoration, and then said "The woman is only drunk; take her away." The policeman said, "I was told by Dr. Powell to tell you that the woman is not drunk." The answer was, "Take her away." She was carried from there up to the bottom of Gray's Inn Lane, where she was placed in a police cell. The Inspector, hearing her moan, said there must be something wrong with the woman, and then she was carried a whole mile up the Gray's Inn Lane to the parish infirmary, where she was taken in, and died that night. A coroner's inquest was held, and for some time the jury would not give a verdict. However, the coroner insisted upon it, and they brought it in—Accidental Death. Afterwards the police found out who the woman was. She had been employed for 19 years in the firm of Kellys, publishers of the Post Office Directory, and a more respectable, sober, or honourable woman never breathed. She had put by 8*l.* in the Savings' Bank so that she might be attended in her own room in case of being taken ill, and in case she died that she should not be buried by the parish. If it had not been found out who she was, that woman's body would have been given for dissection in St. Bartholomew's Hospital, and it is in England alone that such a case could have occurred.

1525. How does this affect the case of the companies ?—In every other part of Europe there would have been a place where within 10 minutes that woman would have been taken in and kept until she had recovered her senses, or died.

1526. Do you think that it is in consequence of neglect on the part of the city companies that places have not been provided ?—I maintain that if the companies drive the population away, they should see that some of the charitable funds left for their welfare are sent after them. I could give you a dozen instances quite equal to that which I have stated of St. Bartholomew's Hospital.

1527. You object to some of the uses I see to which the property of the city companies is put. You consider that the Mercers' Company are not justified in leasing their cellar under the Royal Exchange as a drinking bar ?—I believe the license was refused. I understood that they did ask 14,000*l.* a year for half the cellar, and let it out for a drinking bar under the Exchange. I have been told since that the license was refused them, and now I am informed that it never took place.

1528. (*Mr. Burt.*) In speaking of the removal of the poor from the boundaries of the city, do they cease to be eligible, in addition to other inconveniences, with regard to any claims they may have upon the charities ?—They cease to be eligible if they are not parishioners, and upon the guilds themselves; they cease to be eligible for this reason, that the amounts required to be paid in order to become members of the guilds at this present time are so great, that it is impossible for the working classes to join them. In fact they place an insuperable impediment in the way of the working man, and then invite him to surmount it.

1529. So that practically the working classes are really deprived of any claims they might have upon the charities ?—Precisely.

1530. (*Mr. Firth.*) Have you formed any estimate of the number of people that have been driven out of the city area by the process you have been speaking of ?—If you mean the city proper, I calculate that the population will be about 120,000 fewer now than it was in the year 1801.

1531. How much of that do you ascribe to this process of driving the poor out ?—The whole of it.

1532. (*Mr. Alderman Cotton.*) When you speak of the poor being driven out of the city of London, do you include the artizan and labourer in that class, or do you mean the really poor ?—I allude to the artizan, the labourer, the really poor, and the industrial classes. I mean by that, all whose earnings are under 200*l.* per year.

1533. Then you would include the labourer and the artizan with the very poor ?—I would include that class because of the different educational endowments (I would hardly call them charities) that they are deprived of the benefit of, by that means. For example, if you take St. Paul's School, the Stationers' Company's Schools, and other schools of that description, the people are deprived of the opportunity of profiting by them by being driven away.

1534. In that class you would include messengers and housekeepers, and persons who really do now live

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(¹) *See* the Memorial of the Goldsmiths' Company, p. 304.

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within the city; that is to say, they live over the offices of those who employ them?—They are merely caretakers; they are called caretakers, that is all.

1535. But they sleep upon the premises in very large numbers? I forget what it was in the statistics of the city centre, but some thousands of what you call poor really sleep within the city now?—I do not understand that to be so.

1536. For example, you see a great many children going to the different ward schools, and they would be the children of those people in very large numbers?—Allow me to give you an example to the contrary. St. Paul's School has an endowment of about 15,000*l.* or 16,000*l.* a year. The Stationers' Company's School has an endowment of 300*l.* a year. In the Stationers' Company's School the education is as good or better than in St. Paul's School. If St. Paul's School transacted their business with the economy and efficiency that the Stationers' Company's School do, they ought to educate 2,000 boys gratuitously, but they confine the number to 153 under the plea that St. Peter caught 153 fish in his net, and out of deference to the wishes of the pious founder they decline to teach more.

1537. When you give us figures have you really looked into the facts; and do you know your figures to be correct?—Yes, I know my figures to be correct. With regard to the Stationers' Company's School especially, I went there to minutely examine it myself; and found that the School Endowment Commissioners stated that it was so admirable that they could not suggest an improvement, and the whole cost of each boy's education there is not above 7*l.* 10*s.* or 8*l.* a year.

1538. You put it at 300*l.* a year?—That was three or four years ago when I got my information from the head master, Mr. Isbister.

1539. You are aware that a few years ago the Artizans' Dwellings Act was passed?—Yes.

1540. And that it was done with the intention of getting rid of courts and alleys and other places that were a disgrace to the poor to live in?—Certainly.

1541. Then the Act, of course, called upon the city and the whole of the metropolis to remove those places; you are aware of that?—Yes.

1542. That, of course, would displace a great many people during the rebuilding or replacing. What you would call the poor or the inhabitants of those places, ould it not?—Yes.

1543. So that really the Act of Parliament called for this action, whether on the part of the companies or any one else, did it not?—Certainly, but then in France they oblige sufficient house accommodation for the poor to be built before the others are destroyed. Here it is not so.

1544. You know it would be utterly impossible to build before you destroy because the surrounding properties are very valuable?—Granted that they are enormously valuable, but during the time that value remains idle it should be borne in mind that it pays neither rates nor taxes and others have to make it up. All the community have to suffer by the increased rates.

1545. Do you know that the ejected tenants were or were not provided with homes?—The houses were not built, and they could not be provided with homes.

1546. Do you think it advisable that a man should travel from the city one or two miles to get a more comfortable home than he can enjoy within the walls?—As the lowest value of labour will be about 6*d.* per hour, the taking of two hours to go backwards and forwards seems something like 1*s.* a day tax on that labour.

1547. The whole of the labour of the artizan is not in the city of London; he has to go to other parts to work?—Granted. I will take one class alone who are worthy of great commiseration. I allude to those who are working in the newspaper offices in Fleet Street and the neighbourhood of the city. Any man accustomed to the fearful atmosphere of the rooms in which they work may imagine what, on a cold winter's night, must be the effect of their coming out of one of those rooms and walking a mile or a mile and a half to his home afterwards.

1548. You would not provide beds and apartments in the houses in which they work?—Certainly not.

1549. Therefore they must go somewhere?—Still there is a great deal more room than is at present made use of, and the model houses might be made use of to very great advantage.

1550. You will admit that the apartments a man would take or the lodgings he would take, he would have to pay for, and that he could only obtain those which he could pay for, and which were within his means. He could not occupy city properties as lodgings, could be?—I do not exactly see the reason of it. I think you will find that the value of the land on which the block of model lodging-houses have been built by the Peabody Dwellings' Trustees, down by Southwark Bridge Station, was quite as great as the greater part of that within the city.

1551. That is out of the city?—It belongs to the city, it is within the Borough precincts of the city.

1552. That is out of the city proper; still the model dwellings are of a very great assistance to the poor, but those who walk perhaps from Fleet Street have to go half or three quarters of a mile to get to them?—Yes, but they would not let land in Blackfriars for those houses to be built.

1553. You blame, I think, the Metropolitan Board of Works quite as much as the city for putting the artizan and labourer out?—Certainly.

1554. You think that they ought to have interfered?—They ought to have interfered.

1555. As I understand you, you almost exonerate the companies from being a party to turning the artizan and labourer out of the city?—If the companies on their ground have at this present time a 1,000 or 2,000 sets of chambers lying empty, it is clear proof that they might have built rooms for the working classes for a 1,000 or 2,000 families, because they cannot let those offices.

1556. In what way would you call upon the companies to do it?—I do not say that you can do so; but in cases where they have charities for the benefit of the working classes, a portion of those charities ought to be placed in the localities where the working classes are, and where they can benefit by them, and not simply the charities but the endowments as well.

1557. You assume that a great many of the offices that are empty in the city belong to the companies?—I am certain of it.

1558. You think it would have been better for them to have built artizans' dwellings rather than offices?—Something of that kind to show they had some sympathies with the trades they represent.

1559. You know as a fact that the companies do assist the poor to a very great extent in the way of pensions and donations and gifts of various kinds, do you not?—I must say, though it is possibly from the want of going sufficiently deep into the matter, that I have not found very many instances of that.

1560. Perhaps you will look into it and you will find that it is so?—I will certainly look into it.

1561. And also gifts to hospitals and infirmaries and places of that kind?—With regard to hospitals allow me to mention one point. In the north-eastern and south-eastern districts of the metropolis, there is in each a population of about 700,000 souls without a single general hospital; whereas to the honour of civilisation in all Europe, even including Russia, you cannot find such an injustice as that.

1562. You object to the payment of court fees as I understand to the members of the courts of the city guilds?—As far as that goes I think considering that they have nothing whatever, or the greatest portion of them to do with the trades, it is very capital pay for very little work. If I were upon a guild I should very likely take a different view from that which I do from the outside.

1563. You would not like to give your time from 12 to 1, 2, 3, or 4 o'clock in the day?—I cannot say that I should.

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1564. That is what the court fees are given for; and you object also to a small box of bonbons being given to a departing guest after an entertainment?—I do not know in what manner that should be taken. Formerly, before forks were used, beside each guest's chair there was a void basket, into which the broken food was thrown for the debtors' prisons and other things. This has been abolished by way of teaching the poor the benefit of thrift, but they give a bonbon box worth 1*l.* or 30*s.* to the guests to take home to their friends to encourage brotherly love, and so on.

1565. Is not the remainder of a dinner generally set on one side for the poor?—I did not know that that was generally done. I have been at one or two.

1566. You object to the hospitality of the companies as being far too splendid. You do not object to their being hospitable?—Certainly not.

1567. Only that they do it in a little too splendid a manner?—Allow me to give you an example of what I mean. Some time ago an invitation to a Dyers' Company's dinner at Richmond was given, and the member of the court that gave the invitation told the lady and gentlemen who were invited that they could go down there, have a capital dinner (they paid 3*l.* 3*s.* for the dinner), and besides they would have a guinea a piece to pay their railway fare. I do not call that thrift.

1568. You would call it hospitality?—I will not go contrary to you upon the point, but it is not exactly the definition that I should give to hospitality.

1569. (*The Duke of Bedford.*) Did I understand you to say that 10 guineas an inch was asked for land in this neighbourhood?—Yes; 10 guineas a lineal inch of direct line of frontage; and allow me to say it was paid also.

1570. (*Sir Sydney Waterlow.*) Do I understand you to impute any blame to the livery companies for the dispersion of the poor from the city of London?—Certainly.

1571. How are they responsible? (¹)—I gave one example of the destruction of one block of houses alone of the Merchant Taylors' Company for the purpose of erecting 220 sets of chambers, and nobody was allowed to sleep on the premises; they would not grant the leases until that was agreed to, and there are many other similar cases.

1572. Can you speak from personal knowledge when you say that there was any covenant in the lease so granted, to the effect that no person was to be allowed to sleep on the buildings erected on the land in question?—I can speak from my own personal experience. I am a director of one of the large Assam Tea Companies; we have our offices there, and are specially bound down not to let anyone sleep upon the premises.

1573. Is not that a binding down by the building owner, and not the freeholder?—No; the freeholder would not grant it except upon that condition.

1574. Did you see the ground lease?—No, but I was informed by the surveyor himself.

1575. Of course if you speak from personal knowledge I can only say that I do not remember a freeholder ever making any such covenant. You say that the poor are deprived of the benefits of such hospitals as St. Bartholomew's Hospital by being driven out of the city. Do I understand you to say that?—Yes; I say that they are injured to a very considerable extent, and in the case of St. Thomas's as well, because they were both held alike.

1576. St. Thomas's was removed by an Act of Parliament, and I presume the companies are not responsible for that, are they?—They are responsible; because when the Corporation of the city of London were most earnest that it should not be put there, but down Rotherhithe way, where the poor were, there were many members of the city guilds who proposed that it should be sent to the more genteel neighbourhood opposite the House of Commons.

1577. Surely you do not mean to imply any blame or discredit to the livery companies, as companies, for that, do you?—Certainly not.

1578. Individual members of the livery companies may have taken their own course of action?—Certainly, but the companies were neutral upon that action.

1579. With regard to St. Bartholomew's and the 700 a year, do you know whether there has been an increase or decrease in the number of poor received into that hospital during the last seven or ten years?—I will tell you what the number of beds is, because I have been making inquiry about it. The number of beds at the present time in St. Bartholomew's Hospital I think is about 600 or 700.

1580. Six hundred and seventy; and there has been no change in the number of beds for the last 10 years?—I believe there has been a convalescent hospital added to it, but the number of beds added has been by no means in proportion to the increased value of their estates.

1581. That is a question as regards the hospital; but with regard to the poor, would you be surprised to know that nearly double the number of poor people were relieved last year as compared with 15 years ago?—Are you speaking of in- or out-patients?

1582. In-patients and out-patients altogether?—With regard to the in-patients I can offer no opinion; with regard to the out-patients I can say, on the authority of Dr. Bridges, the assistant physician, that the time given to each out-patient is a fraction under a minute, and the value of the medicine a fraction under 1*d.*

1583. The number of persons relieved is vastly in excess of 15 years ago, is it not?—For all that they have a mile and a half to go for it and a mile and a half to go back.

1584. Did I understand you to tell the Commission that the workmen connected with trades can get no benefit now through the companies because of the large payment required?—By no means equal in proportion to what they used to do when their income was considerably smaller than it is now.

1585. Is the payment made by freemen larger than it was 40 years ago?—I am not able to tell you what it was 40 years ago, because I did not then take any interest in the question, and therefore I have not gone so far back as that; but in taking the different records up to the time of Charles II. and about that time, I state distinctly that the cost is far in excess of what it used to be formerly.

1586. But you cannot speak from personal knowledge?—Of course not.

1587. Have you looked at the return sent in by the company?—I have seen the returns sent by all the companies. I have taken information also from Herbert's City Companies from the Camden Society's Papers, and several works of the kind.

1588. Should you be surprised to hear from a return now before me that the companies allow freemen to any number belonging to the trades to subscribe 6*d.* a week and to be entitled to all the privileges of freemen?—I was not certainly aware of that in any manner whatever.

1589. You have given to the Commission the opinion that the workmen connected with the companies cannot get any benefit from the companies. I give you now the case of one company in which 24*s.* per annum is the payment required to be made by a freeman which entitles him to the benefit from all the charities in case of poverty, and education for his sons at the school. I am now reading from a return on the table?—But first of all, what will be the expenditure of the company's hall, their dinners, their servants, and the mere working expenses before that is allowed, because that will diminish the value to a very considerable extent of what the poor are entitled to and the number that might be supplied.

1590. Apart from the question of how the funds are spent, do you think a sum of less than 6*d.* a week should be charged as a fee to freemen?—Certainly not.

(¹) *See* the Memorandum of the Merchant Taylors' Company, p. 265, *infra.*

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1591. If so small a sum is charged does it not show that the working classes connected with the trade can get the benefits of the company if they choose to subscribe?—May I ask what company it is that you refer to.

1592. That is the Stationers' Company?—I am very glad you mention that, because I have gone very deeply into the question of the Stationers' Company, and although there might be some improvement in it, that company is certainly very admirably managed.

1593. Are there any other companies where the fee for freemen is very low and the benefits large, in comparison to the amount paid?—I do not know of any.

1594. Would you be astonished to hear that in several of the large companies freemen can be admitted in any number belonging to the trade?—Do you include the Mercers' and the Goldsmiths'?

1595. I cannot speak for the Mercers', but I can for the Clothworkers'. I think you told the Commission that in France when the poor were removed, houses were built for them before the others were pulled down; are you speaking of Paris?—I am speaking of Paris.

1596. Can you tell me where in Paris there are any large blocks of houses at all commensurate with the enormous improvements that have been made in London?—I will take the Boulevard Sebastopol.

1597. Do you call those workmen's houses?—No; but I mean that in many of the top apartments of those houses the working classes live, and before one stone was placed to build the Boulevard Sebastopol that law was passed and insisted upon by the municipality of Paris.

1598. Can you tell me whether the rooms in the Boulevard Sebastopol or any other part of Paris are not far dearer than in London?—It is so long since I was a pupil in Paris that I am not able to say.

1599. I think you said the Dyers' Company not only entertained their guests but gave them money to pay the cost of their journey; can you speak of that from personal knowledge?—Yes.

Adjourned to Wednesday next at 4 o'clock.

NINTH DAY.

Wednesday, 14th June 1882.

PRESENT:

THE RIGHT HONOURABLE THE EARL OF DERBY IN THE CHAIR.

HIS GRACE THE DUKE OF BEDFORD, K.G.
THE RIGHT HON. LORD COLERIDGE.
THE RIGHT HON. SIR RICHARD ASSHETON CROSS, G.C.B., M.P.
MR. ALDERMAN COTTON, M.P.
MR. PELL, M.P.
MR. JOSEPH FIRTH, M.P.
MR. THOMAS BURT, M.P.
MR. H. D. WARR, *Secretary*.

Deputation from University College.

14 June 1882.

The following Gentlemen attended as a Deputation from University College:—

Sir George Young, Bart., Member of Council and President of the Senate.

Frederic J. Wood, LL.D., Barrister-at-Law, Member of Council.

Alexander W. Williamson, LL.D., F.R.S., Professor of Chemistry.

Henry Morley, LL.D., Professor of English Language and Literature.

1600. (*Chairman to Sir George Young.*)—I understand you have done us the honour of coming here for the purpose of laying before us the claims of University College to assistance from the companies; is not that so?—It is.

1601. I think it would be most convenient if you will state, in such manner as you think best, the ground upon which this claim is put forward?—We start with the recognition which has already been given in principle, and in some important details, by the city livery companies to education, and in particular to university education, as a fit subject for assistance from their resources. Upon this subject, my friend Dr. Wood, will have (among other things) some facts to submit to you. We desire that this Commission should be the means of bringing to the notice of the administrators of those funds, in a more influential way than has hitherto been found possible, the present position and the needs of university education in London. Upon this subject I may refer to the statement of our committee (a committee appointed for the purpose, consisting of members of the council or governing body of University College, and of professors or members of the Senate, a consultative body of the same college), which has been communicated to the secretary of the Commission; and I may further refer to the evidence which I trust will be given by my friends, Professors Williamson and Morley. I may sum up our position in few words, by saying that University College, originally founded as a place of university education for those who were excluded by religious opinions from the benefits of the older universities, must in the altered condition of things at the present time, be looked upon rather in the light of an institution of university rank charged (together with King's College) with the interests of university education for London; and we desire in the first place to call your attention to the waste, and I may even say mischief, arising from the great dissipation of energy in the work of foundation and endowment in regard to university education. That which has been done in this respect, and more especially in London, has been done piece-meal; not of course that we object or that anyone would object to work being done by degrees, brick on brick; but what has been done has been done in the way of a brick here and a brick there; an institution has been founded to meet a special need and for a special purpose, without reference, or without sufficient reference, to institutions already in existence, and to the way in which one institution should co-operate with and work into another. That this is so, is due of course partly to the size of London, and to the conditions in which Londoners live; partly also to defective municipal institutions; but chiefly, perhaps, to the absence of what I may call a common forum for educational purposes, such as the existence of a real University supplies; for in fact we have no University of London. That which is known by the title is, as you are aware, an examining board merely, and as such absorbs the Government aid, that is, the grant which is made for university purposes year by year from public funds, and directs it to the expenses of examination merely, and of prizes: whereby teaching suffers. We have University and King's Colleges, which are not colleges, of course, in the sense of a college at Oxford and Cambridge, or in the sense in which the word is usually accepted by the public, that is to say, they are not boarding houses; they are in fact universities, but universities in a state of arrested development, without the privilege of granting degrees, without the public position which comes from public recognition, and without therefore the claim upon private benevolence and the popularity which attach to a public institution. There are other institutions in London, such as Gresham College for instance, of which, perhaps, it is not necessary to take very much account, for up to the present time they have not had any very great influence upon university education. Now it may be said, perhaps, do we advocate the limitation of private charity in such a matter as this? Of course not, but we desire to influence the minds of those who are the dispensers of public or of corporate funds. We consider that mistakes have been made, more especially during the past generation, in ignoring the agencies already in operation. I may refer, by way of instance merely, perhaps, to the institutions which have been set up by Government for special purposes, such as the Government School of Mines, the Government School of Science and Art, and the Cooper's Hill Engineering College. These are all institutions useful in their way, and likely to have a useful career, but they have all been founded to meet special wants without much consideration of the way in which those special wants are mingled with the other more general needs of an educational kind, which are supplied by an institution for university purposes generally. In the result it has repeatedly happened that institutions of this partial character have found themselves compelled to develope in various directions; sometimes by introducing the more general subjects of education, sometimes by opening their doors, not merely to the class for whom they were originally founded, but to the world at large; and in this way they have come, contrary to the intention of their original founders, to operate with serious consequences upon the position of institutions already in existence which were doing useful work. To come rather nearer to our present subject, I may refer, perhaps, to the School of Law which has recently been founded by the Inns of Court. Here is an institution which no doubt fulfils a useful purpose, and supplies a want, but the School of Law founded by the Inns of Court can hardly be said to supply London with a philosophical or even a scientific school of law.

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1602. (*Sir. R. Cross.*) May I ask you to explain the term "School of Law" to us, as you use it?—I mean the lectures founded of late years.

1603. (*Mr. Firth.*) There is nothing known as a school of law in existence is there?—I mean the lectureships founded by the Inns of Court for the purposes of legal education; I use the term school of law in a popular sense. They do not, in fact, supply the place of a scientific school of law; they rather tend, indeed to make such a school impossible. The Inns of Court possess the sole key of entrance to the legal profession:—

1604. You mean the upper branches of legal education, do you not?—For the upper branch of the legal profession, exactly, for barristers, I mean; and while legal education is in their hands and they take that interest in it which is represented by their present staff of lecturers, it is found to render it, I believe I may say, hopeless that a school of law such as we wish to see established in London should ever be founded. Recently the city livery companies have taken up, very much to their credit, the subject of technical education, and a college has been founded at South Kensington; not, so far as appears at present, upon lines which will conflict, or in any degree interfere, with the work of a university like this, of which I am speaking; but it would be certainly an evil to university instruction in London, if that school of technical education were to develope in the direction of scientific teaching rather than of what is strictly speaking technical instruction. We do not deprecate competition; our point is that the benefits of competition are only felt where the competing agencies are fairly equipped. It cannot be said that at the present time any of the agencies charged with university instruction in London are fairly equipped for the purpose; therefore we think that the foundation of new institutions for these purposes ought rather to be relegated to the time when the existing agencies, which have already earned public approval, or, if necessary, others in their place, shall have been placed in a position fairly to do their work. If the result of this Commission should be that any funds are found to be available for such purposes as we speak of, it would no doubt be proper that an institution in the receipt of public funds, or of corporate funds of a *quasi* public character, should admit the principle of public control; and the last remark that I have to offer is, that such control, under such circumstances would not be deprecated but rather welcomed by University College.

1605. Taking your last remark first, that is, in fact, a fundamental change in the constitution of your college, is it not?—It would be so.

1606. It started on an entirely voluntary principle, did it not?—Yes.

1607. And with an absolute rejection of State systems or State interference, was not that so?—It was.

1608. Then, in that respect, you now look on matters from a new point of view?—Speaking for myself, I do. I do not wish in this respect to assume the position of speaking for the Corporation or even for the Council of the College, but I am entitled to say that there has been a modification of view within the minds of those who are managing this institution since its foundation.

1609. You complained, as I understood you, that there was no power of granting degrees conferred either upon University College or upon King's College?—Yes.

1610. Then if you could arrange the matter as you think fit, you would desire that each of them, and I presume, therefore, any similar institution, should have the power of granting degrees to their students?—I would not go so far as that; I would not specify, but I would merely point out the present misfortune of university education, which consists in our being [that is to say, University College, King's College, and the University of London] not a university or three universities but the *disjecta membra* of a university.

1611. You are aware, are you not, that as a matter of fact the principle adopted by the London University has been that of separating itself more and more from connection with any particular college?—Yes, it has been so.

1612. Then do I understand that you wish that the London University should reverse the policy upon which it has gone of late years, and should re-establish a closer connexion between itself and the various *disjecta membra*, as you call them, of a possible university?—Speaking for myself (you must understand that in a matter of this kind I am not entitled to speak for others) what I look forward to is (without dwelling upon the fact of the name, or on the circumstance that the University of London is called from London) that there should be a local university in London. The University of London is an imperial university, and whatever its name, that is its position; and I cannot doubt that it will always have a most distinct position as such; but in what way the university that I desire to see (a teaching university) in London is to be formed is a matter which I need hardly perhaps enter upon at the present stage.

1613. (*Sir R. Cross.*) Do you mean a teaching university, with a power of granting degrees?—Certainly.

1614. Independently of the present general University of London?—That is the question that I prefer not to enter into, for it seems to me too remote for practical purposes.

1615. (*Chairman.*) Putting it generally, I think I may take it that the assistance you desire to receive from the funds of the city companies, is not so much assistance to University College, as at present constituted, as assistance given for the purpose of turning University College into something different to what it is now?—No, I cannot say that. It is quite true that the receipt of such assistance would in my opinion, and I think in the opinion of those for whom I speak, necessarily entail a readiness on our part not to keep our constitution, as it is at present, in the hands of a private body; but we do not seek that assistance for the purpose of turning ourselves into something else, we seek the assistance because we need it; because, in fact, as matters stand, and with the competition to which we are subjected, we find it impossible to do our duty as the first, or one of the two first, teaching bodies in London.

1616. You do not put forward any special claim on the property of the city companies, but you are considering, as I understand you, the possibility of some part of that property being diverted to other and general uses?—Yes, and also we do not come here to make an attack upon the city companies, and claim that their funds should be diverted to our use, but rather I may say to pursue the path upon which the city livery companies have already entered, and to recommend ourselves to them upon the same grounds as those upon which we have hitherto recommended ourselves to them, only, if possible, in a more authoritative manner, if it should so happen that an institution like this is found worthy of being commended in your report to the managers of those institutions and to the public.

1617. (*Mr. Firth.*) Do you suggest that there is any claim that can be advanced on behalf of University College, which could not be equally well advanced on behalf of King's College?—Certainly not. I consider that the claim, such as it is, which of course I do not put forward as a claim so much as a recommendation, is rather in favour of University College as an institution holding a certain position in London.

1618. That is not a claim, as against King's College?—No.

1619. Because that also holds a position in London?—Certainly.

1620. Is the point of your evidence directed to the establishment in London of a university system analogous in its relations between central and subject bodies, to that which exists at Oxford or Cambridge?—No, Deputation from University College.

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I do not conceive it possible that a university like Oxford or Cambridge can be founded.

1621. Then the suggestion is, that money of this kind might be rightly applied to teaching bodies in London that do send up students to the London Examining Board of the University of London?—The suggestion is that money of this kind, if it be thought proper to apply any of it systematically to purposes of university education, might be advantageously applied in supporting an institution like University College, which is at present existing and doing good work.

1622. (*Mr. Alderman Cotton.*) What does the college at present receive from the companies?—I will refer that to Dr. Wood, who has the facts.

1623. Then I think you spoke of yourselves as a private body. Is that really so; are you not a public body?—We are an incorporated body.

1624. I think your speaking of yourselves as a private body was not correct?—It is private only in this sense (I am using the words, you will understand, in their popular meaning, and, in order to convey my meaning, that term seemed to express it most exactly), the college is governed by a corporation of private persons, collected together in various ways; some are the representatives of the original founders; some are distinguished students who have been added to the body, and others have been added for reasons connected with their services to education or to the college. This body of persons is a public body in the sense that it is incorporated, and they appoint a council, and the council govern the college; but they have no relation with the Government of the country, and they have no relation with the municipality of London, nor has the Government of the country or the municipality of London any right of interference in their proceedings.

1625. (*Mr. Pell.*) Is it incorporated by charter or by Act of Parliament?—By Act of Parliament.

1626. (*Mr. Alderman Cotton.*) Do you know what amount of capital you really require?—I may refer to the paper that is before the Commissioners. I will read a sentence from it, "To enable the two London " colleges properly to do the work that lies before " them as the teaching part of the University of " London, the present income would require to be " augmented to the extent of half its present amount " by endowment. Such increase may be estimated " at about 25,000*l.* annually for each college."

1627. You want 25,000*l.* per annum more for each college?—Yes.

1628. You yourself seemed to think that the city guilds did not quite understand what technical education was. Can you tell me what technical education is, because I do not think anyone really understands it, and I thought I would take the liberty of putting that question to you?—Perhaps you will allow me to refer that to Professor Williamson, who is better qualified to speak upon the subject than I am.

1629. (*Chairman to Dr. Wood.*). You have heard the statements that have been made by Sir George Young, and we shall be very glad now to hear from you anything which you wish to say in corroboration of what he has stated or any explanation or modification of it?—In the first place, what I was requested to state on behalf of the college was this, that there is no intention on the present occasion to take up a position at all antagonistic to the Corporation of London or to any of the city companies. On the contrary, I hope that, in the facts I shall state, I shall be able to show that the Corporation of the city of London took an active part in the foundation of the University of London, and that the city companies have been its most liberal supporters, and, therefore, all that we come forward on the present occasion to say is this, that if, as the result of the inquiries which you institute, it should appear that there are funds which may properly be devoted to educational purposes and particularly to the advancement of university education, then we think that with perfect consistency with the wishes that have already been displayed by the Corporation and the city companies, and with the benefit of the public, there is no purpose to which those funds could be applied that would be better than to increasing the usefulness of the two existing colleges, University College and King's College. Having said that, I think it will enable some who may not be as well acquainted as those who have been brought up at the University of London necessarily must be, with the whole constitution of it, if I very briefly state how the university was founded. The university was founded in the year 1826. It was then founded in Gower Street, and consisted of the body now called University College. It was founded, as Sir George Young has stated, to meet two great wants, the one to provide for the dissenters who were excluded from the older universities (a want that has passed away by reason of the opening of the older universities), and the other was the general want of the inhabitants of the metropolis of having collegiate education provided at their own doors for their children. That want still exists. That was in the year 1826. In the year 1835 a vote was carried in the House of Commons requesting the Crown to confer a charter upon what was then called the University of London, empowering it to confer degrees. That was carried against the wishes of the Government of the day. It was carried partly with the help of the city of London. They presented a petition to the Crown in favour of this charter being granted. After this vote had been passed, negotiations took place between the Government and University College. I should say that at that time the University of London, now University College, was a mere company. It had shares. They contemplated making profits and dividing those profits amongst the shareholders. Then a correspondence was opened up between the Government and the authorities representing the body of proprietors. The latter consented to give up the sort of claim that they had under the vote of the House of Commons to a charter making them a university and empowering them to grant degrees, and to become instead a college, to be called University College, the Government saying that it would then found a metropolitan university, to which University College, and a body which had been subsequently founded, and called King's College, should be affiliated;—that nobody should be admitted to come up to take a degree except he came from one of those two colleges or from some other college which should afterwards, in virtue of a power contained in the charter, be affiliated to the university. Various colleges were from time to time under that power affiliated to the university, but after a time it was thought that that did not work particularly well; and, at any rate, that the usefulness of the university was impeded. It was then resolved that the university should be thrown open to all, whether they had been at colleges or not, and, therefore, although the names of these affiliated colleges have not been struck out of the list of those that are affiliated, they have, excepting with regard to medical degrees, no special privileges at all. With regard to medical degrees, nobody can come up to take a degree unless he comes from one of the recognised hospitals or large schools. That is the state of things under which University College now exists. It has ceased to be a university; it has ceased to be a proprietary body; it is simply a college in a university,—in the university of London,—confining itself to teaching. It has received help, as I have already stated, from the city and from the different large corporations—the companies. I may mention as proof of this that when the university was first founded in the year 1825, amongst the shares that were taken the Fishmongers' Company took five shares of 100*l.* each. Of these shares they subsequently ceded three shares for the express purpose of enabling the college to found certain fellowships. They were fellowships without pecuniary emolument; but as it was then necessary, in order that a person should be a member of the Corporation, that he should be the possessor of a share, so these shares were ceded in order that the college might be enabled to confer one

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of those shares upon a distinguished student for life, thus giving him the right of attending the meetings and taking part in regulating the proceedings of the college. That was done by the Fishmongers' Company at the commencement. Then subsequently there has been,—quite recently,—an extension of the buildings of the college. A very large sum was spent, chiefly with a view to providing for the Slade School of Art (the teaching of art), and amongst the subscriptions that were given during the last year, 1881, I find these sums:—The Clothworkers' Company subscribed 2[illegible]0*l.*; the Fishmongers' Company subscribed 1,000*l.*; the Corporation of the city of London itself subscribed 210*l.*; the Mercers' Company subscribed 105*l.*; the Merchant Taylors' Company subscribed 31*l.* Then in addition to that I may mention that the Fishmongers' Company have occasionally given scholarships tenable at University College, and that the Clothworkers' Company have founded two exhibitions for chemistry and physics of 50*l.* each, tenable for two years. The only difference in position between King's College and University College is simply this, that, as I have stated, University College when it was the University of London had under that vote which was passed in the House of Commons acquired a sort of right to have a charter granted to itself, and that in consequence of the correspondence that took place between it and the Government, there was a sort of contract entered into, that if it would surrender that sort of right that it had to be made a university, it should have certain privileges (these collegiate privileges) secured to it. Therefore King's College was not in the same position as regards the contract; but apart from that we consider that the claims of the two are identical, and we do not wish at all to take up any position claiming more for ourselves than we should ask should also be extended to King's College. The only other matter I would mention is just this, that amongst the different endowments that exist in the city there is one which seems to show that the founder had a special design to promote collegiate education—I mean the Gresham College. If the Commissioners are not aware of the facts with regard to that, I can state them shortly. The will of Sir Thomas Gresham was dated in 1575, and by it he bequeathed the Royal Exchange and some adjoining hereditaments subject to a life interest to his widow in two moieties, one to the corporation of London, and the other to the Mercers' Company, on the condition amongst others that the former body should pay 50*l.* a year each to four persons to read lectures in divinity, astronomy, music, and geometry, and the latter the same stipend to three lecturers in law, physic, and rhetoric. Then he left his house in Bishopsgate Street for every one of the lecturers there to inhabit, to study and read. Gresham House was sold by authority of an Act of Parliament, and the lecturers were compensated by having their funds increased, and then there was an inquiry in 1857 ordered by the Charity Commission, and their inspector, Mr. Martin, heard evidence and presented a report, but no action was taken upon the report. Amongst the witnesses who were examined, the present Dean of Manchester, then and now the Gresham lecturer in geometry, stated that he "thinks that "Sir Thomas Gresham's foundation was intended to "be the nucleus of a university, and was so treated "by the Universities of Oxford and Cambridge." The Rev. J. Pullen, Gresham lecturer in astronomy, stated that if Gresham College was to be restored to its original dimensions and formed into a college affiliated to the London University, it might be made of value for educational purposes in the city. Then in 1876 the Common Council of the city of London approved a resolution which had been passed by the Gresham committee, "that it is desirable that "the Gresham lectures and the funds applicable for "their support should be placed with the assistance "of the Charity Commissioners on a more satisfactory "footing," but nothing has been done. Then there is some interesting evidence of a contemporary character as to the views of Sir Thomas Gresham. There are three letters which were written in 1575 by the vice-chancellor and senate of the University of Cambridge, and which are printed in the appendix to Ward's Lives of the Professors of Gresham College. The first is to Sir Thomas Gresham expressing the delight and gratitude of the senate with some reports they had heard of his intention to build at Cambridge a college. They found out their mistake a few days afterwards, and wrote to express their dismay and to urge that it should not be at London, but rather at Oxford, but better still that it should be at Cambridge because Sir Thomas was one of their own men. Then there was a third letter, which was written to Lady Burleigh, thanking her for her efforts, and entreating her to try and get the foundation given to Oxford rather than to London, and to Cambridge rather than to Oxford. Under those circumstances it did seem to us that there at any rate, was a fund which does not seem ever to have been made very useful, which was evidently intended by the founder to promote university education, and therefore we conceived that that might very properly and in accordance with both the wishes of the founder and the views of the city itself be applied in promoting university education, and that that could not be done better than by assisting the college already in existence and in full working. I may say that I do not think that the body of the graduates of the university, or, so far as I know, those in connexion with the college itself, do at all contemplate seeking to have their college again turned into a university. Speaking, certainly for the body of graduates, I should say there is not the slightest doubt that we are perfectly content to go on as a college in connexion with the University of London. All we desire is that we may have better means of giving the education which we give at University College. We consider that we have a very full curriculum. We know that we have a staff of most distinguished professors, second to none in the kingdom. It is lamentable to see the sacrifices that they are compelled to make in order to further the cause of education. With regard to our medical professors, for a long time all the services in connexion with our hospital were performed entirely gratuitously. It is only within a few years (two or three years, I think) that they have accepted any pay for the most invaluable services they have given. I might mention the names of Sir William Jenner, Professor Erichson, and a considerable number of others, who have been the leading men in the medical profession, and really the value of the services they have rendered is perfectly inconceivable. Our only desire is that we should be enabled to go on in the way that we have gone on, and to perfect the work which we have, to the best of the means entrusted to us, hitherto done. We believe fully that, had we anything like the endowments possessed by some of the older universities (take, for instance, Edinburgh), and even some of the newer universities, we should do an immensely greater work than we are doing at present, and we believe that London is almost the only metropolis in the civilised world which is without a great active university and colleges.

1630. Then, as I understand it, you are not advancing any claim as of right to any part of this property of the companies?—Oh, no.

1631. You are only contending that if Parliament should think fit to apply any part of that property to educational purposes your claim is one which ought not to be passed over?—Yes, or if the companies should so think fit.

1632. (*Sir R. Cross.*) Irrespective of any legislation?—Yes.

1633. (*Chairman.*) And, as a matter of fact, you consider that you have been liberally assisted by the companies heretofore?—Yes.

1634. What you are really asking is not so much that a new departure should be taken in this matter, but that in any new disposition that may be made, if any such disposition is made of the property of the

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companies, you should not suffer by its being placed in hands which might be less friendly?—Yes.

1635. (*Mr. Firth.*) You say that you received from companies 1,596*l.* last year. Was that by way of subscription or donation?—A fund was raised, and they subscribed to the fund.

1636. Was that for an endowment?—No, for building.

1637. Can you tell me whether you received anything, and if anything, how much, ten years ago from the whole of the city companies?—I do not remember that there was any particular sum ten years ago.

1638. You cannot say whether any sum, either in the way of subscription or donation, was received from the livery companies of the city ten years ago?—There were the two exhibitions of the Cloth-workers' Company; they gave 50*l.* a year for each; those were in existence then, and we had, as I stated at the commencement, received from the Fishmongers' Company their subscription for the five shares of 100*l.* each.

1639. Those were exceptions?—Yes.

1640. With respect to Gresham College you are aware that the money left by Sir Thomas Gresham was left to the Mercers' Company and the Corporation equally?—Yes.

1641. Therefore they are equally interested in it?—Yes.

1642. Have you ever applied to the Corporation of the city with respect to the re-appropriation of their moiety towards university purposes?—No, I think we have never made any application of that sort.

1643. I of course quite recognise the propriety of that claim, but I should like to ask you this. You are aware that Sir Thomas Gresham, in addition to the provisions he made with respect to students living and studying in his proposed college, provided that there should be lectures read on a certain number of subjects?—Yes.

1644. Would you propose that, if the moiety held by the Mercers' Company were re-appropriated, those lectures should be continued?—Not separately.

1645. I mean separately, that is the point of my question?—No, I think not, because the past history proves that that has been a failure. There have been, I know, good lecturers there. I recollect one, Professor Abdy, who was formerly the Regius Professor of Law at Cambridge.

1646. He is a reader there still, is he not?—I am not quite sure whether he is or not. I recollect his speaking to me many years ago, when first appointed; he took great interest in it, and was very anxious indeed that there should be a good class there, but I do not think that it has ever answered. It has never been possible to get a sufficient number to make it really efficient.

1647. You are aware, probably as a matter of fact, that the readings which are continued in geometry, astronomy, divinity, and music, and so forth, at the Gresham College are practically useless?—Yes, I believe they are.

1648. (*Mr. Alderman Cotton.*) Following up a question put to you by Lord Derby I suppose your object is this, that in the event of the Commission determining to leave the guilds as they are, and to recommend certain institutions to them to be assisted, you would like to be one of that number?—Quite so.

1649. (*Chairman*) (*To Professor Williamson*). We will now ask you if you have anything to state in corroboration of what you have heard said, or if you wish in any way to modify the argument we have listened to. I believe that you are prepared rather to speak upon the technical side of education?—The scientific part of our work is more intimately known to me than the rest, so that I may perhaps chiefly refer to that with your permission.

1650. Exactly?—It has seemed to many that in the interests of higher education it is of considerable importance that in London (the real metropolis of the kingdom) there should be some institutions of efficiency commensurate with the importance of the capital. At present I think it is a matter of notoriety that the scale on which the higher academic work is done here is out of proportion smaller for London than what exists in the leading capitals of Europe, and I may say that when foreigners who are cognizant of the state of things in the leading French and German universities come here and learn the conditions under which we work in the two London colleges, and whilst they compare those conditions with what they know of London, and I may be permitted to add what they know of the quality of the work which is done here, they are almost incredulous that things can be on such a footing as that which actually exists. Now I conceive that it would be right to ask that further monies should be given in aid of such work as is being done by these two colleges if it can be shown that they would be of distinct and definite use in a public point of view. In other words, if the colleges have successfully turned to account such opportunities as they have enjoyed, and if there is room for considerably more work of the same kind as that which they have been doing, it might then reasonably be expected that under the conditions which are requisite for doing more of such work they would be able to do it. Perhaps, it would be most to the point if I were to refer more particularly to the higher general education which is now given with considerable care, I believe with no inconsiderable success at University College and also at King's College, to those who are destined for the medical profession, I ought rather to say for the higher class students who are destined for that profession. It has come to be recognised as expedient for the training of young men to the highest efficiency in that branch of applied science that they should devote a certain period of time at the beginning of their university career to the study of pure science. In this preliminary scientific training they are taught to observe accurately, to record observations accurately, to reason accurately, and in a trustworthy way upon facts established by their own observations. They are taught also to use scientific instruments and apparatus of various kinds for the purpose of making observations which are beyond the reach of the unaided senses. In fact, this preliminary scientific training may be described as serving to develope not merely the power of reasoning accurately upon given premises so as to arrive at a conclusion which is consistent with those premises; but also the power of establishing the premises by experiment, and of checking by experiment the truth of conclusions which have been propounded. It serves also to store the mind with a knowledge of some of the simplest and most fundamental truths which have been established by experimental research, truths which underlie the common phenomena of nature, and of which a knowledge is requisite for all technical pursuits, and, indeed, for most pursuits involving more than mere verbal questions.

There has grown up among the students who follow this course of scientific training a spirit of earnest devotion to such work, which could not have been attained if they had not felt it to be not merely interesting in itself and improving to them, but also calculated to qualify them for far more efficient and successful professional studies than would otherwise have been possible. Each of them is encouraged by the sympathy of others around him who are engaged in similar pursuits, and at the same time aided and stimulated by intercourse with earnest and able students, and by the successful results of their studies.

The intercourse between one another of students with such traditions of earnest work is one of the conditions, and probably one of the most important conditions, of the progress which they make in our colleges.

Now, whilst such efficient and good work is being done in those departments of science which are required by the great majority of the students, we are unable to provide adequately for the higher scientific instruction which is required by some of the ablest of them. These most able students are never very numerous in any college, but the importance of pro-

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viding for them the higher intellectual training which which they desire and need can hardly be over-estimated. It is not merely that their usefulness in after life would be greatly increased by a higher training proportioned to their capacity, it is even more important for the sake of developing and maintaining a really earnest enthusiasm for learning, and a habit of efficient and good work among the great body of college students that these best and most earnest students need to be kept among them while pursuing their higher studies.

I have referred to the elementary scientific training as provided for future medical students, but amongst those who attend these classes in the college there is a considerable number who resort to what I may call preliminary scientific training for the purpose of working at some other technical pursuit, some other branch of applied science than medicine; and it appears from the results of experience that the general system which has been worked out, and which is now established for the preliminary scientific training of medical students before they enter on their professional studies, is suitable (with certain modifications and improvements which will doubtless arise in future) as the best preparation for young men who are destined to work at many other pursuits involving a knowledge of scientific principles, pursuits which one may describe as applied science. Now the city companies have begun at what I may call the material end of this work. They have naturally, and perhaps usefully, had in view chiefly the special working details which need to be practised by workmen in their respective trades, and it seems unlikely from what one knows of the results of similar institutions which are founded specially for purposes of technical and special instruction that they would ever develope that system of work in pure science which experience has shown to be the most effective preparation for young men destined for the highest functions in any technical career.

We have begun at the other end by establishing in the first instance a college for the study of pure science, and by developing, as far as possible, the conditions requisite for the best success in that work, and I believe there is ample evidence (an outline of which is given in the memorandum which has been submitted to your Lordship by the college) that University College and King's College have done good and substantial work in scientific instruction with exceptionally limited resources, and that they are only prevented from doing still more such work by the want of such funds as are furnished to similar colleges in every other civilised country.

All more modern colleges which have been founded, Owen's College, and the more recent ones, have acted upon the results of our experience, which have shown that the first thing to do to form a college is to have the means of placing some men who will do the work of the college in a sufficiently independent position to be able to do the work properly, in fact, to endow chairs reasonably and moderately. Up to the present time most of the chairs in our University College are unendowed, yet such is the spirit which prevails there that more than one of our past professors might be named whose reputations were amongst the highest in their respective branches of learning, yet who worked for the greater part of their lives under financial conditions which would hardly be deemed credible. The dispersion of resources is a matter which ought to be regarded purely from a national point of view; it would be unreasonable, and I think undignified, if we were to object to new and independent institutions being founded instead of aid being given to us if the public interest could thus be best promoted; nay we ought to wish that it should be done, and I have no doubt most of us would wish it; but if it be true, as has been often stated by independent observers, that general preliminary scientific work in London is done less effectually, and that the competition between the schools, which is so important for the due development of their efficiency, is less vigorous and less effective with the existing over-dispersion of resources than they would be if there were a smaller number of schools duly provided, as nearly all continental schools are with the resources requisite for their functions, and if in like manner the efficiency of the work in higher education would not be increased but diminished by a further dispersion of resources, then I conceive that such a system of effective preliminary scientific training as is requisite for the due promotion of technical education can be best obtained by developing the existing resources of the chief academic institutions of the metropolis.

1651. The point I understand you to make is this, that you think there is a danger of too great a dispersion of educational funds?—It has occurred in the past certainly, and it is my opinion that that is so.

1652. In the event of any portion of the funds of these companies being applied to educational purposes, you think that the object should be rather to concentrate than to disperse such assistance?—That is so.

1653. (*Mr. Firth.*) If public money was given to these two colleges, what form of public control would you suggest over the colleges?—That is a matter which it might be somewhat hazardous for me to venture a precise suggestion upon; but there are various forms which might reasonably be considered for control. I conceive that it might be safest, perhaps, if any one mode of control alone were not adopted, but if several tests were applied more or less simultaneously. The number of students attending classes, I conceive, would naturally be one of the circumstances to be noted in connexion with the measure of the efficiency of the work, but not alone that, certainly. In some of the highest work there might be only very few students. Then the number of students who pass from the college to the higher degrees of the London University, or to other such public examinations which are of acknowledged merit, should be taken into account.

1654. My question rather was this, this being a grant, either in the form of donation or endowment, of public money which you suggest, what control would you vest in the public, and, if any, what form of control over the expenditure of the public money which you are asking for? Have you considered that? At present I understand it is a *quasi* private corporation, and there is no public control of any kind?—I do not know that I could safely say what form it could best assume; in principle I assume there can be no difference of opinion that some proper means of seeing that it was rightly used, or of checking it within certain limits, ought to be vested in those who give it.

1655. You would scarcely vest that in the livery companies, of course, would you?—I think some gentlemen on those bodies have been made governors of the college The governors of the college are, as Dr. Wood has explained, the body to whom the college, I may say, belongs, and some of them are elected on the council from time to time, and perhaps in that manner a control might be properly arranged.

1656. (*Mr. Alderman Cotton.*) I want you to answer this question for Mr. Firth, if I may put it for him; in the event of your receiving, say, 25,000*l.* per annum for the management of your college, what body ought to look after you in the expenditure of that money? Would you consider that your own body would be quite sufficient, after a publication of accounts, to spend that money?—By control you probably mean one or both of two things; namely, deciding to what special purposes the funds should be devoted, and also ascertaining whether they have been so devoted as to produce good results. I should think it might be difficult to get any body of gentlemen who are, in the first place, more thoroughly impartial, and, at the same time, more able and painstaking than the council who govern the college. Their attendance is singularly regular, and really if any suggestions were made for other control I have no doubt it would be considered, but for my own part I could not con-

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ceive anything better than the way in which our council attends to these matters.

1657. (*Chairman to Professor Morley.*) We shall be happy to hear anything you have to add to what has already been said?—I would only add to what has been said by Professor Williamson on behalf of the scientific side of the college, a very few words as the result of my experience of the endeavour of the college during the time I have been connected with it, for 17 years, to make itself a centre of university education. The present relation of the college to the university we are entirely content with. We look upon the University of London, as Dr. Wood's history will show, as really our eldest daughter. We are the original institution, and the eldest birth of University College was the University of London. We received our charters on the same day, and then the work of examining was divided from the teaching; then we undertook to teach, and King's College joined us; and I agree with what has been said, that we in no way separate ourselves from King's College in this application. We look upon King's College as a fellow worker with us now, and as representing the general education of London as apart from special colleges that are established for special purposes. Now I find in looking at what University College has been doing in the direction of university teaching during the last 17 years, that in the first place its work has been recognised by the public, by public support in the sending of students. Seventeen years ago the number of students in the faculties of arts and of science (which are making this application) was 226; in the last year it was 834. We have in 17 years very nearly quadrupled the number of students who were in attendance, and the course of work that has had that result has throughout aimed at university teaching. At the beginning of the period, when our numbers were small there was an experiment in holding evening classes; we had had schoolmaster classes in the evening that were not very successful. In 1866, I think, some influential friends of the college were very anxious that we should endeavour to do what King's College had done with great success, that we should have evening classes, and evening classes were tried—a little against the judgment of the professors—for some years. The opinion of the professors was that King's College was doing that work thoroughly; that it was work worth doing, and worth doing by a body with university pretensions; that the teaching of those who came in the evening—of clerks and others—should be thorough; but at the same time we did not think that it was work in which we should share, and our experiment failed, as it deserved to fail. There were 83 students in the evening classes attending in one year, and 107 in the next; but when the evening classes were dropped the general work of the college, which was distinctly university work—higher teaching—had so far advanced that there was no loss of numbers whatever, but a continued increase in the numbers of the college. Then when there was the bequest of Mr. Felix Slade of money for the Universities of Oxford and Cambridge and for University College for fine art professorships, University College interpreted that as for work that must be done in direct teaching, and there was a fine art school established, and not simply a professorship. That, of course, brought additional students, and that was one cause of the increase of numbers. Then also during the same interval there has been a development of the education of women. We thought that we ought to lead in that, and we have endeavoured, as representing the teaching body, to lead in the course of education. We established, apart from the college, experimentally, classes for women; they were gradually allowed to be held in the college; and we had so entirely prepared the way when the University of London opened its degrees to women that we were ready to open our classes to women without meeting any difficulty. Not only was the way so well prepared that no doubts were expressed, but I find, on comparing the numbers, that the influx of women was accompanied by a considerable addition to the number of men studying at the college. The opening of the college to women caused a leap in the number of students in the arts and science classes from 470 to 731, but that included an increase of 70 or 80 in the number of men; so that meeting the requirements of the public in that respect only made our general work to be more completely recognised. In that way our progress has been made, and so large an increase in the number of students has brought with it a strong sense of the need of material aid to enable us to go on with our work. The work is continuing, and continuing very rapidly. We can hardly follow the work that is leading us, and we feel everywhere the need of space. During the 17 years, two wings have been put out from the college. The north and south wings did not exist 17 years ago. They have both been built chiefly by aid of private friends of education. It was impossible to obtain more than very slight support from the college funds, the fees from students being entirely unable to meet charges of that kind. The evidence of the firmness with which we have maintained at University College our connexion with the University of London, and our position as a body representing university teaching in London, shows that if this College developed it will only develope more and more completely into a teaching university. I will only add a note or two of the number of graduates from University College who have taken their degrees at London. We have on our list 1,152 students of our College who are graduates of the University, or have been graduates of the University of London. We find that they go on to the higher degrees. Taking the numbers as they stood last year, out of 1,720 bachelors of arts at the university, 495 came from University College. That is about a fourth. But when one passes to the masters of arts it is found that out of 281, 135 of them are from University College; the proportion is about one half, a fourth of the bachelors and one half of the masters of arts. This shows that the tendency of our work is to lead men on to the higher degrees, to attach them to us, and not to make ourselves an institution as an intermediate between schools and Oxford and Cambridge. We have aimed at being a teaching university, and we have looked to the University of London as crowning our work with its degrees. We still wish to do so; and at present we have no thought of asking for in any separate right of conferring degrees. We would go on in the old way with power to enlarge our work, as it promises to enlarge if we have the means to enable us to keep pace with it.

1658. (*Mr. Pell.*) Might I ask what office Lord Kimberley fills with reference to University College?—He is President.

1659. He is responsible then, I suppose, for this statement put before us?—Yes, it is signed by him as president of the college.

1660. Then he represents your wish, I suppose, distinctly, in asking for this endowment of 25,000*l.* annually?—Yes.

1661. You have considered how this fund might be distributed if granted?—Yes, that has been carefully considered.

1662. Have you not also considered, or has not Lord Kimberley considered, what the nature of the governing body should be, because you expressly omit any reference to that?—There is no reference whatever to it. We did not contemplate any change in the governing body. The college has been sufficient for its work thus far, and is sufficient to continue its work, and there has been no thought of a change.

1663. I do not know whether you are aware that—I will not say one of the accusations, but one of the points which have perhaps given rise to the present inquiry with reference to the city guilds is that they are possessed of very large sums of money, and have the disposal of them, with no adequate control over them by the State; are you not asking to be put in exactly the same position as the city companies?—The position in which we stand is that we are answerable

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to our constituency, that is, to our whole corporation; our accounts are minutely published; they are printed every year and audited. There is a statement of accounts of the minutest detail, and it is submitted to the main body of the corporation. We are responsible to our corporation and to the Charity Commissioners.

1664. Then in that respect there is really very little difference between you and a city company ?—I do not know what the position of the city companies is. We do not come here as complainants against the city companies.

1665. Are we to understand that the University College really contemplates the legislature bestowing so large an income as 25,000*l.* a year upon them, or nearly half a million of money, without making any provision for control and periodical inquiry into the application of that money; has that never occurred to you ?—We leave that to be suggested to us when the grant is made. Any fair condition of inspection and control we should of course not object to.

1666. Does it not seem rather inconsistent to suggest how the money should be applied (which you have done here in print with Lord Kimberley's name attached to it) without at the same time assisting us upon the point of who is to be the governing body ?—The reply to that is that we should look to have the grant with the conditions upon which it would be conceded to us; the conditions should come together with the grant.

1667. So long as you got the money you would submit to almost any condition, would you ?—No, certainly not.

(*Dr. Wood.*) What we really always have felt has been that our history in the past is a guarantee for the future. We have raised this enormous sum of money (for it is an enormous amount that has been raised by the college), and with that we done a great work, and we consider that what we have done in the past is a guarantee for what we shall do in the future, in other words that we have earned a right to be trusted.

(*Mr. Pell.*) You have earned the right, but have you not failed in earning an adequate income; your students have increased very much in number, I think Professor Morley said, but still he said that that justified your asking for more material assistance from the outside.

(*Prof. Morley.*) We need more enlargement and the money; we are asking the public now for 100,000*l.* to enable us to complete our buildings.

(*Dr. Wood.*) I do not know whether the Commission are aware of what the constitution is. Under the present Act of Parliament there is a large body of governors.

(*Mr. Pell.*) I think I gathered that from your evidence.

(*Dr. Wood.*) Every year there is a general meeting of the governors; then the accounts are audited and submitted to them; they elect the governing body, the council, year by year.

(*Mr. Firth.*) Are all your funds under the control of the Charity Commissioners?

(*Prof. Morley.*) All except the students' fees.

(*Mr. Firth.*) How did they come under the control of the Charity Commissioners?

(*Dr. Wood.*) As a lawyer I know, perhaps, more about that, if Professor Morley will allow me to answer. It is only the special funds that are under the control of the Charity Commissioners, not, of course, the general funds.

1668. (*Mr. Firth to Dr. Wood.*) Of course the special funds come under their control; those bea but a small proportion to your income, do they not ?— Yes.

1669. Would you suggest that those funds if give to you should be under the control of the Charit Commissioners ?—If that were made a condition; we are not thought worthy of more trust than that, w should not refuse it I have no doubt.

1670. The guarantee that would be wanted woul be that of a continuous proper application ?—Quite s

1671. Nobody doubts the proper application now but three generations hence it might not be so ?— have no doubt we should not object to that.

(*Sir G. Young.*) I would add one remark. think it would be only proper in this connexion that special reference should be made to the endowmen which we are at present enjoying from the City an Guilds of London Institute to the extent of 200*l.* year paid in support of each of two chairs for th purpose of extending our chemical and engineerin teaching in the technical direction. Two chairs hav been founded, which are called the Chairs of Chemic and Mechanical Technology, which have had cons derable success and are very well attended.—Wit respect to the point which has just been the subjec of inquiry I, myself, made a remark upon it. I d not know that it is necessary for me to sever mysel from those present here with me; but so far as I a concerned, and I think I speak the general impressio on the part of the Council, I may say that wher public funds are paid, public control of an effectiv kind must be contemplated; and that if, as appeare to be Mr. Pell's opinion, our statement is defectiv in not containing anything as to the express mod in which that control should be exercised, that mus rather be ascribed to the uncertainty we at presen labour under, from what quarters we are to contemplat any such large increase to our funds. Although w have asked for 25,000*l.* a year, and although we ar at present receiving support from the livery and cit guilds, we hope to obtain large sums as we hav done in the past from the public generally. It is moreover, quite possible that we may yet obtai funds from the State. Therefore I conceive that i would be quite premature for us to suggest any pla for the exercise of that control. If we obtained larg subsidies from the city and livery companies, then, n doubt, some control should be exercised on their part if we obtain them from the State there should b State control. If we continue to obtain the fund that we require, as we require them, from the publi at large, then some such control as we are at presen subject to, namely, the control of public opinion would probably be sufficient.

1672. (*Chairman.*) Let me ask you just one ques tion upon that last remark of yours. In the event o your receiving large assistance from the State or from funds that formerly belonged to the companies do yo not think that the effect of your being so provided fo would be very much to diminish the flow of sub scriptions and donations from the general public would it not be thought that you were well enough o to do without them ?—Quite the contrary. I am convinced that the position in which we should the be placed as a public institution,—I am not saying the fact that we were supported by public funds, bu the public recognition which would be given to us— would at once enable us to surmount the grea difficulty which has beset us since our foundation namely, that we have to a certain extent the colour o a private institution.

Adjourned to Wednesday next at 4 o'clock.

APPENDIX.

UNIVERSITY COLLEGE, LONDON.

University College.

MEMORIAL to the ROYAL COMMISSION on the CITY LIVERY COMPANIES.

THE Council of University College, London, desire to submit to the Royal Commission on the City Livery Companies the claims of University College for consideration, if, as the result of the deliberations of the Commission, any scheme should be framed which might include recommendation of a larger use of the funds of the Companies for the advancement of higher education in London.

The City Companies, in the aids hitherto given by them, appear to have had for their chief purpose the promotion of technical education. But by undertaking the direction and support of public schools, by the provision of scholarships at the Universities, and by other means, they have always recognised the importance of general education and its claim to some support from the resources entrusted to them. It is therefore conceived that the support of such institutions as University College and King's College, London, may naturally find a place among those objects to which the resources of the City Companies may be in part devoted; and, indeed, their claims have already been recognised by the companies, both directly and through the City and Guilds Institute. The Council would gratefully acknowledge the liberal assistance which University College has already received from many of the companies, and the signal services which they have rendered to education, both in London and the Provinces.

Although considerable sums have been contributed to the two London Colleges for building and other necessary purposes, they are very unfavourably placed, not only as compared with the older universities of Oxford and Cambridge—whose annual aggregate income is believed to amount to 750,000*l.*—but even in comparison with the new provincial colleges which have been, or are being, founded, with the aid of private endowments, in Manchester, Liverpool, Leeds, Birmingham, Sheffield, Newcastle, Bristol, Nottingham, and elsewhere. In many of these colleges the professorships are endowed to the extent of 300*l.* or 400*l.* per annum in addition to students' fees. The University of Glasgow has recently succeeded in raising, through private munificence, the sum of 260,000*l.*, which has been augmented by a grant of 140,000*l.* from the Government, for the construction of new buildings. The students of this and the other Scotch universities receive liberal assistance in the form of bursaries and prizes, amounting in all to not less than 20,000*l.* per annum.

The Government contributes annually to the Scotch universities 18,992*l.* for the purpose of augmenting the salaries of the professors; to the universities and colleges of Ireland sums amounting in the aggregate to 25,836*l.*; and the Royal Commission on higher and intermediate education in Wales have recommended annual grants of 4,000*l.* to the University College of Aberystwith and the new college to be founded at Cardiff, together with further contributions to meet the expenses of building. Thus the London colleges have been completely left behind in respect of endowments and are obliged to depend for their income mainly on the students' fees.

The Council would submit to the Royal Commission that the past history of University College, London, and the value of the educational work it has already accomplished with the relatively inadequate means hitherto at its disposal, afford good grounds for believing that its usefulness is capable of much further development, and that it would be to the advantage of the public if it were placed in the possession of such funds as would make this development possible. In support of this opinion they beg leave to add the following short statement of facts:—

University College was founded in 1826, and opened in 1828. For the first ten years it bore the name of "The University of London," it having been the aim of its originators to establish a fully-equipped university in London, after the type of the universities of Germany or Scotland, in which instruction should be given by means of professorial lectures, and which should have legal powers of conferring academical degrees upon its own pupils. After the teaching functions of a university had been for some years successfully discharged by the new institution, as well as by King's College, London, the importance of rendering university degrees accessible in London was recognised by the Government, and the present University of London was founded in 1836. Its functions were, and are, to conduct examinations and confer degrees upon properly qualified candidates, but not to teach. On the same day the body to which the name University of London had hitherto belonged received a charter of incorporation as "University College, London."

The professorial body of University College was originally divided into two *Faculties*, the Faculty of Arts and Laws and the Faculty of Medicine. The instruction given in the Faculty of Arts and Laws was chiefly based upon the long-recognised subjects of a liberal education; but from the first greater prominence than had as yet been afforded to them in the older Universities of this country was given to modern subjects of study, such as English and modern European languages, and to pure and applied Science. In 1840 a Professor of Civil Engineering (Charles Vignoles) was appointed; in 1841 Professors of Architecture (Thomas L. Donaldson) and of Geology (Thomas Webster) were appointed; in 1844 a Professor of Practical Chemistry (George Fownes); in 1846 a Professor of Machinery (Bennet Woodcroft); in 1847 a Professor of the Mechanical Principles of Engineering (Eaton Hodgkinson). In 1841 the Birkbeck Laboratory of Chemistry was built. This was the first laboratory established in England for the purpose of affording practical instruction in Chemistry. Within the last year a new and much larger chemical laboratory has been opened in the recently erected north wing of the College, and the Birkbeck Laboratory is now devoted to practical instruction in Applied Chemistry under Professor Charles Graham.

In 1867 a single room was set apart as a physical laboratory. This was the first laboratory opened in London for instruction in Practical Physics; but the extent and nature of the accommodation afforded were far from satisfactory. As the result of subsequent extensions of the College buildings, it has since become possible to devote additional rooms to this purpose; but the space is still insufficient, and in many respects ill adapted for the purposes to which it is applied. It may be stated that Practical Physics is a subject which, in proportion to the number of persons engaged in the study of it, requires more space and more expensive and elaborate arrangements than any other branch of science, and that the building of an adequate physical laboratory is one of the purposes for which University College is urgently in need of funds.

In 1878 an engineering laboratory was established, and the scheme of instruction which has been organised in connexion with it by Professor Kennedy has been worked with such success that additional space for the engineering department is already much needed.

In the same year Dr. Charles Graham was appointed Professor of Chemical Technology, and in the following year (1879) Professor Kennedy added Mechanical Technology to his previous subject, Engineering. The importance of the work to be done in connexion with the Chairs of Chemical and Mechanical Technology in University College has been generously recognised by the City and Guilds of London Institute, by which an annual grant of 200*l.* is made to each, an aid which has already produced valuable results

A School of Fine Art was opened at the college in 1872 as the result of a bequest from the late Mr. Felix Slade. The instruction given in this department includes drawing and painting from both the living model and the antique, as well as etching and modelling.

In 1868 a society, known as the Ladies' Educational Association, was established for organizing systematic courses of lectures to ladies; and as a guarantee of the

University College.

quality of the instruction thus given, the association made it a principle of their action that their lectures were to be given by members of the teaching staff of University College. The work of the association began with two courses of lectures only, and was carried on for the first three years outside the college walls. In 1871 the classes of the association were transferred to University College by permission of the council, but they did not form any part of the college scheme. In 1878, however, the council formally adopted the education of women as a regular part of the college work, except in the classes of the faculty of medicine.

During the last three sessions the number of students in the college (*exclusive* of the boys' school) has been as follows :—

Session.	In the Faculties of Arts and Laws of of Science.	In the Faculty of Medicine.	Total.
1878–79 - -	731	366	1,097
1879–80 - -	789	352	1,141
1880–81 - -	834	355	1,189

These members give an average for the three years of 1,142 for the total number of students in the college, and of 785 for the number attending the classes of the faculties of arts and laws and of science.[*] Judged by this standard, University College alone is on an equality with all but a few of the largest British or Foreign universities, and surpasses many of great repute.

As evidence of the quality of the instruction given in University College, we may refer to the names of those by whom the principal professorships have been held since the foundation, and to the large number of men who, having received a substantial part of their education in the college, have attained eminence in various careers. Evidence to the same effect is afforded by the records of the degrees and other distinctions obtained by pupils of the college at the University of London; and testimony of another kind was borne by the Royal Commissioners on Scientific Education, especially in their fifth report, dated 4th August, 1874, who said that, "after carefully reviewing the evidence laid " before them with regard to University College and " King's College," the Commissioners were of opinion " that they have established a claim to the aid of " Government, which ought to be admitted." They added, "we think that such Government aid should be " afforded, both in the form of a capital sum, to enable " the colleges to extend their buildings when requisite, " and to provide the additional appliances for teaching " which the advance of scientific education has now " rendered absolutely necessary; and also in the form " of an annual grant in aid of the ordinary working " expenses of the colleges."

Almost without exception the Government of every European country but England has recognised it as essential to the national progress and welfare that there should be in the metropolis a teaching university. Previous to 1826 London was without a university even in name; and it was remarked by Thomas Campbell (who, more than any other one man, has a right to be called the founder of the original university of London) that London and Constantinople were the only two capitals in Europe that were in this case.

As already mentioned, the State-supported University of London, founded in 1836, exercises no educational functions except those of examining and granting degrees. University teaching has not yet received any official support or recognition in London, but has been left to the unaided efforts of the friends of University College and King's College. So great, however, is the public necessity for such teaching, that, even under these conditions and with their present inadequate means and appliances, the two colleges have an average attendance of more than 2,000 regular students.

To enable the two London colleges properly to do the work that lies before them as the teaching part of the University of London, the present income would require to be augmented to the extent of half its present amount by endowment. Such increase may be estimated at about 25,000*l.* annually for each college. This endowment should be so employed as to effect a considerable reduction of the present scale of fees, wherever it may be possible; to provide for largely increased aid to students; to improve the appliances for practical teaching; to provide for the teaching of those higher branches of study which cannot be omitted from the curriculum of a university, although they cannot be made self-supporting; to supplement the emoluments of the teaching staff, and to provide for its extension.

Taking the sum of 25,000*l.* already indicated, the benefits of the endowment might be virtually divided between the students and the college itself, under something like the following scheme :—

	£
College General Fund, in compensation for the reduction of fees by about one-third their present amount - - -	4,000
For maintenance and extension of college buildings and for general working expenses	2,000
Libraries (including salary of a principal librarian), museums, instruments, and apparatus	3,000
In aid of academic stipends - - -	8,000
Retiring fund - - - - -	2,000
Scholarship - - - -	6,000
	£25,000

The 6,000*l.* thus assigned to scholarships should be applied chiefly or entirely in two ways:—(1) Entrance scholarships to poor students; (2) Scholarships to enable advanced students to prolong their university course. A certain number of the entrance scholarships might, probably, with advantage be offered specially to those who had been pupils in the Board schools of London or the Provinces.

It is thought that such an apportionment—assigning nearly half the total endowment through scholarships and reduction of fees to the direct benefit of the students—would provide adequately for the public interest; and that the City Livery Companies, to whose munificence University College is already indebted, would regard such an endowment as entirely consistent with the educational objects to which their resources are already in considerable measure devoted.

KIMBERLEY.

29th April 1882.

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[*] The average number of boys in the school during the same three years has been 798.

TENTH DAY.

Wednesday, 21st June 1882.

PRESENT:

THE RIGHT HONOURABLE THE EARL OF DERBY, PRESIDENT.

HIS GRACE THE DUKE OF BEDFORD, K.G.	MR. ALDERMAN COTTON, M.P.
THE RIGHT HON. VISCOUNT SHERBROOKE.	MR. WALTER H. JAMES, M.P.
THE RIGHT HON. LORD COLERIDGE.	MR. PELL, M.P.
THE RIGHT HON. SIR RICHARD ASSHETON CROSS, G.C.B., M.P.	MR. JOSEPH FIRTH, M.P.
SIR NATHANIEL M. DE ROTHSCHILD, BART., M.P.	MR. THOMAS BURT, M.P.

MR. H. D. WARR, *Secretary*.

Deputat
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21 June 1

The following Gentlemen attended as a Deputation representing the City and Guilds Technical Institute:—

The Lord Chancellor and Sir F. Bramwell, F.R.S. Mr. Watney, Clerk of the Mercers' Company; Mr. Sawyer, Clerk of the Drapers' Company; and Mr. Roberts, Clerk of the Clothworkers' Company, Honorary Secretaries to the Institute.

1673. (*Chairman to the Lord Chancellor.*) We understand that you and the gentlemen who come with you, have done us the honour of appearing here, with a view to making a representation on behalf of the City and Guilds Technical Institute?—Yes, that is so.

1674. Then probably it will be convenient if you will kindly make the statement you wish to put before us in the form that you prefer?—I may first mention that the Royal Society is one of the different bodies who are represented on the government of this institution, and that Mr. Spottiswoode, the President of that Society, who has been associated with us, has unfortunately been prevented from being present here to-day. It was thought possible that the Commissioners might wish to have some skilled opinion as to the work which is being undertaken, and the results likely to flow from it when seen from a scientific point of view, and we trusted to him to give the Commissioners that information; and perhaps, if you should think it desirable, you would receive it from him on a future day on which he might be able to attend.

1675. We shall be very happy to do so?—Then with respect to those of us who are present, Sir Frederick Bramwell and myself, I propose, with the permission of the Commissioners, to make a general statement upon such matters, as I presume you would wish to be particularly informed about; and Sir Frederick Bramwell, who is more conversant than I am with the working of the Institution in detail, will be prepared to supply further matter. Perhaps I may be allowed at starting just to say how it is that I myself have the connexion which I happen to have with this institute. I am a member of the Mercers' Company by hereditary right. My great grandfather (who was the younger son of a Leicestershire gentleman) having come to London to go into business at the beginning of the last century, and then having been apprenticed, I rather think, to a member of a collateral branch of the same family, who was a mercer, the effect of that was to give all his male descendants a right at the age of 21 to take up the freedom of the company, which I believe they have none of them failed to do. I did it in my turn, and was in the course of time put upon the court of assistants of the company, though practically I was never able to attend there during the time of my professional practice. When I ceased to be Lord Chancellor after my former term of office the company was so good as to pay me the compliment of asking me to become their master, and free as I then was from public engagements, I willingly accepted that offer and served during the year when this scheme of technical instruction first became matured in its present form. That was the cause of my being honoured with the position I now hold of one of its governing body. The beginning of the scheme may be carried back to the beginning of the year 1873, when the Clothworkers' Company who, perhaps, of all those deserving praise in this matter, deserve the most,—initiated a practical movement and began to incur very considerable cost for the promotion of it. They founded at that time, in the year 1873, a school for the promotion of textile industries on scientific principles in connexion with the Yorkshire College at Leeds, and their expenditure and engagements on that undertaking, and in connexion with the institute from that time to this, I am told is not much short of 90,000*l.* I think it is due to the Clothworkers' Company to state this at the outset, not only because they were the beginners in the work, but also because of their most liberal contributions to it. The next thing which I notice without any knowledge of the degree of influence which it may have had upon other people's minds, (I mention it because it had certainly some influence upon mine) was an invitation which the present Prime Minister, Mr. Gladstone, held out to the companies to undertake a work of this description, in his address upon education, when he presented prizes to the science and art students at Greenwich in 1875. I have here an extract of what he said in that speech. He said it was especially desirable that efforts should be made to give instruction in science so as to improve the knowledge of the British artist and workman, and enable him to hold his position in the markets of the world. That result (he added) could only be attained in the main through the agency of the individual mind and will, and then he said this: "All that others can do is to offer assistance, and who "should offer that assistance? I confess that I should "like to see a great deal of this work done by the "London companies. I have not been consulted by the "London companies, but if so, I would have besought "and entreated them to consider whether it was not "in their power to make themselves that which they "certainly are not now, illustrious in the country by "endeavouring resolutely and boldly to fulfil the pur"poses for which they were founded." And he went on to say that he understood the companies to have been founded generally for the purpose of developing the crafts, trades, or misteries, so-called, in the country. As I have said, I rather speak of my own attention having been directed by that speech to the matter, and I do not know at all to what extent, or in how many cases, the minds of other men may have been moved in the same direction by that invitation. However, in the next year, through the agency of the Clothworkers' Company, and I think the Drapers' Company also (in the year 1877 it was that it came to maturity) those companies proposed to the other companies to combine for this purpose, and an executive committee was accordingly formed. That, I think, was done in January 1877. The first step that was taken after the executive committee was formed was to endeavour to obtain the best scientific and practical advice possible, with reference to what was wanted, and what could be done; and they sent a circular paper (which I hold in my hand) to five gentlemen, of whom three even-

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tually gave them reports, and two others were kind enough to take the places of those whose engagements prevented them from doing so. The gentlemen in the first instance consulted were Mr. Lyon Playfair, Mr. Lowthian Bell, Captain Douglas Galton, Major Donnelly (The Director of the Science Department at South Kensington), and Mr. Wood, the Assistant Secretary at the Society of Arts. I will not trouble the Commissioners by reading the detail of this, but it is right to mention that it was placed before those gentlemen in such a manner as to leave their judgment entirely unfettered by any foregone conclusions as to the subjects on which they were consulted on the part of the executive committee. Two of those gentlemen, Mr. Lyon Playfair and Mr. Lowthian Bell, I think, were unable to give the assistance that was desired; but instead of them we obtained the assistance of Professor Huxley and Sir William Armstrong, and they gave their reports to the executive committee in the autumn and winter of 1877; that is, the same year. We have been favoured with a communication of the evidence, or some evidence already given before the Commission; and I observe that two of the witnesses who have been examined here seem to imagine that the scheme has been started upon an unsound basis, and that in particular Professor Huxley's judgment was not in the direction which the scheme has taken. I saw that with surprise. I am sure I do not know upon what ground anyone could have formed that opinion; but I have here Professor Huxley's report, and I venture to mention some passages (not troubling the Commissioners with extracts from any other) in which he both speaks most strongly of the want, and indicates those modes of supplying it, which it has been endeavoured to adopt. He says that a complete system of technical education should be directed towards these objects: "First, the diffusion among "artisans and others occupied in trades and manu"factures, of sound instruction in those kinds of "theoretical and practical knowledge which bear upon "the different branches of industry, whether manu"factures or arts. Secondly, adequate provision for "the training and supply of teachers qualified to "give such instruction, and for the establishment of "schools or isolated classes to which the industrial "population may have ready access, and further for "a proper system of examinations, whereby the work "done in the schools and classes may be tested." Well, I could not in so few words have better summed up the work which has actually been undertaken, and which is now going on. Later on, at page 9, he speaks strongly of the importance of the system of instruction and examination which had been already begun in the Science and Art Department, with which he is himself familiar. He says: "That system has "already effected an immense amount of good year "by year; it is steadily widening the sphere of its "operations, and I conceive that the livery companies "could not employ a portion of their funds better "than in aiding the extension and perfection of the "system independently of, but in harmony with, the "action of the Science and Art Department." And then, at page 11, he speaks of the great importance of the establishment of a central institution for the training and supply of teachers, and for the advanced instruction of students of exceptional capacity. "The "withdrawal of such persons from the centres of "industry will not affect the supply of labour, and "it would be difficult, if not impossible, to find a "sufficient number of instructors of a higher order to "equip training colleges in every considerable manu"facturing district. The more closely the matter is "examined the more clearly it will appear that the "question of technical education turns mainly on the "supply of teachers good enough, but not too good, for "the purpose. And I am of opinion that the greatest "service which at the present time could be rendered "to the cause of technical education in this country "would be the establishment in London of a training "college for technical teachers, fitted with the re"quisite laboratories, lecture rooms, and other ap"pliances, and provided with a proper staff of "professors and other instructors." Then he goes on to say in what branches of knowledge instruction should be given there, and that the building ought not to be too ambitious in its architecture, but should be constructed for practical objects; and he thinks, at page 15, that the current expense of such a college as he has suggested would probably amount to from 5,000*l.* to 6,000*l.* a year in salaries, wages, and material. "The number "of students," he says, "would not make much differ"ence, except in the greater or less demand for assistant "teachers," and so on. I need not read more, but I think the Commissioners who are acquainted with what has been done will be of opinion that it is not at least to any want of an honest endeavour to act upon those suggestions that, if we have failed or are likely to fail (which I do not think), the failure will be due. Having got these reports, the executive committee set to work, and their first operations consisted in negotiations with the Cowper Street middle class schools in Finsbury, for the purpose of having temporary accommodation there to begin the work of a technical school there; and at the same time they negotiated with the Commissioners of the Exhibition of 1851 for a site for the central institution. I see that doubt has been thrown upon the prudence of the selection of the site at South Kensington; but the Commissioners will understand that the class of students who are to be trained for masters and teachers, and superior foremen, and so on, will not be those who are carrying on handicraft industries in London at the time, so as to make the difference between the West End and the East End of material importance to them; while, on the other hand, the immediate neighbourhood of the great scientific museums and other institutions which are in the neigbourhood of South Kensington made that neighbourhood apparently very desirable: in addition to which, I do not know that anywhere else, certainly upon such terms, a site so advantageous could possibly have been obtained. Those negotiations proceeded, and they ended in a lease upon very beneficial terms being obtained from the Commissioners of a very large and convenient site, where the building can be erected, and where there may be room for developing it, the rent being almost nominal, the term long, and the only stipulations such as the Commissioners most properly would make, namely, that the buildings should be erected and maintained, and that there should be a proper representation of certain scientific institutions upon the governing body. That lease was settled, not, I believe, actually granted, in August 1880. In the meantime (on the 9th July 1880) the institute was incorporated, not by special charter, but under the general powers given by the Companies Act, the 23rd section of which abolishes the name "limited" where it is not a commercial undertaking. Perhaps I ought now to state what is the government. It might seem at first sight that, if looked at in detail, it was a cumbrous system of government. It does not work so, and I daresay those who are acquainted with the practical working of things can easily see why There is a large body of governors. The actual number at the end of last year or the beginning of the present year was 169, and they are constituted chiefly by a proportionate representation of the contributors to the undertaking, according to the amounts of their contributions. The city of London and the companies nominate governors upon this principle, and I believe any one who subscribes 100*l.* can nominate a governor. That is a sort of general meeting of the whole undertaking. Then under them is a council of 55. They are also chosen with some proportionate reference to the supply of the funds. Under that council there is an executive committee of 40, and that acts by four sub-committees, one for the central institution, one for finance, one for the Finsbury College (of which I shall presently speak), and one for the South Lambeth School of Art (of which I shall also speak), and for the technological examinations. The general body meets once a year, I think, not oftener,

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though it can be called together at any time. The whole council is summoned once a quarter, and it would be summoned at any time, if necessary; the practical work is of course done by the executive committee (of which Sir Frederick Bramwell is the real working chairman,) and by the sub-committees under it. Then on all these bodies are the *ex officio* governors, of whom one is the Lord Mayor, and the other four were introduced upon the wise and valuable suggestion of the Commissioners of the Exhibition of 1851. They are the President of the Royal Society, the President of the Chemical Society, the President of the Institution of Civil Engineers, and the Chairman of the Council of the Society of Arts, whether they are or are not in any way connected with the subscribing companies. The Commissioners are now in possession of the objects and the constitution of the institute, and I will proceed to state what has been done. The first undertaking was to establish a college of applied science and art in the city, in immediate proximity to the Cowper Street Middle Class Schools, where temporary accommodation was originally given, and the first stone of that college was laid (Prince Leopold did us the honour to come for that purpose) on the 10th of May 1881, (that is, last year,) and I am happy to say that in the present year it is expected to be opened for work. In the meantime, under the accommodation which has been obtained from the middle class schools, the classes have been temporarily going on as well as they could. The object of that college is to provide systematic evening instruction for those who are actually engaged in the staple industries of the district, including cabinet-making and the application of chemistry and physics to special trades. The classes which have been perhaps the most popular and the most largely attended, are those which relate to electric lighting, and some manufacturing operations of very great importance. That has been going on, and before I end I will give the numerical results of the work that has been hitherto done. The first stone of the Central Institution was laid by the Prince of Wales (who graciously accepted the office of President of the Institute) on the 18th July 1881, at South Kensington, the Princess of Wales being also present. Contracts have been made for that undertaking; considerable progress has been made in it, and the year after next we expect it to be opened. The whole cost of those buildings is estimated at, for Finsbury College 27,000*l.*, for the Central Institution (including fittings), 80,000*l.*, making 107,000*l.* altogether. Now I ought, perhaps, to mention the funds. The Corporation of the City of London has contributed, not to the building fund, but to the fund arising from annual subscriptions, and 28 companies have done so. Towards the building fund special contributions have been made of 42,250*l.* in the whole, by four companies giving 10,000*l.* each, two 1,000*l.* each, and one 250*l.* The annual subscriptions in the first year, 1878, were 12,102*l.* odd; in the second year (1879), 12,862*l.* odd; in the third, 12,965*l.* odd; and in the last year, 24,000*l.* The funds for meeting the buildings are, therefore, provided to a very great extent, by savings (of course there has been some expenditure in the work that has been going on) out of the annual subscriptions during those years, and by means of the funds specially contributed for buildings; and it is hoped that whatever deficiency there may be will be supplied by the liberality of the contributing companies, and others. I stated to the Commissioners that I would give them some numerical results of the work which has already been done, and first of all I will give them the figures applicable to the technological examinations which have been carried on in every year since 1879. I think they were taken over from the Society of Arts, which before conducted them. In 1879, the number examined was 202 at 23 centres, all in the provinces Lancashire, Yorkshire, and so on, in seven subjects. In the next year, 1880, 816 were examined at 85 centres, and in 24 subjects. In the third year 1881, 1,563 were examined at 115 centres, and in 28 subjects; and in 1882, 1,961 were examined at 146 centres, and in 38 subjects. I am surprised if the Commissioners do not think that that is evidence that there was a real want, and that the supply meets an increasing demand. With regard to the students receiving instruction more directly from the different schools and colleges of the institute, in the Technical College, Finsbury, in its present provisional state, there are now receiving instruction in the evening classes 500 students; at the South London School of Technical Art, which is intended for those artizans who are engaged in kinds of industry which require knowledge of, or aptitude for, art, there are now receiving instruction 158 students; that is in a building in the Kennington Park Road. Then there are two small numbers which I may mention in addition. In themselves they are insignificant, but they may develope. In the Horological Institute, which I presume is connected with the business of clock and watch making, there are 26 students, and in the School of Art for wood-carving there are at present 42. That gives 726 in the institutions which are under the management of the institute itself, even in its present half-developed state. In the provinces, the number of students in the provincial classes in connexion with the institute for the purpose of its examinations is at present 3,300. I do not know that I have myself anything that I need add in order to put the Commissioners fully in possession of the character and objects of the scheme, and of what has been done towards it, and what are its prospects of success. I think the Commissioners understand that the Central Institute mainly aims at the education of those who shall be teachers of technical knowledge all over the country, like the great institutions in Paris, in Zurich, and other places, but it is not confined to those who would be teachers; any who are desirous, with a view to being foremen or superintendents of works, or masters, or managers, of receiving a high technical education, will be welcome there, and as funds increase it is hoped that exhibitions may be founded in aid of the poorer students. I think I have now stated to the Commissioners the facts of the case, and any detail Sir Frederick Bramwell will now supply better than I can.

1676. (*To Sir Frederick Bramwell.*) May we ask you if you have anything to add to the statement which we have heard with so much interest from your chairman?—Very little indeed. There are one or two points, however, upon which I should like to make a few observations. The Lord Chancellor, in telling you the nature of the governing body of the institute, said quite correctly that the representation was to a certain extent based upon the amount of the contributions, but the Lord Chancellor omitted a point, which I think should be made known to you, which is, that with the object of having on the council and on the executive committee representatives of companies not contributing sufficient sums of money to entitle them to nominate persons on the council and on the executive committee, the governors elect a certain number of their own body to be councillors, and at least a moiety of those persons must be representatives of companies not contributing a sufficient sum to entitle them to nominate councillors. Similarly on the executive committee the council elect a certain number of their own body to the executive committee, one fourth of whom at least must be representatives of companies not contributing enough to entitle them to nominate a representative on the executive committee, and in that way we have been enabled to ensure that all those who have aided us, and who are men willing and able to work should come upon every grade, if I may so call it, of the government of the institute. The Lord Chancellor further said that a certain portion of the funds required for the buildings would come out of the savings. That is so, but I wish to put before the Commissioners how it is that these savings arise, because I know that an impression has prevailed which has prompted the question, "Why do you want these funds if you

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"are not spending them, but are making savings?" The answer to that is found in the letter which was written by the Lord Chancellor and signed by myself also, to the Commissioners of the Exhibition of 1851, a letter which I think is worthy the attention of the Commission, because it so well puts forward our views upon the matter. In that letter we were compelled to tell the Commissioners what it was that we were prepared to do in the event of their according to us the piece of ground for which we asked. We had therefore, in stating the objects we had in view, to say that we were willing to undertake to spend a minimum sum upon the building, that the building should be made reasonably in accordance with the wishes of the Commissioners, and our willingness to undertake that when the building was completed there should be devoted at least a certain sum (5,000*l.* a year) to the maintenance of that building for the purposes of the institute. That being our undertaking it obliged us to set apart from our funds the sum of 5,000*l.* a year until the building was completed, because it was quite evident if we appropriated that 5,000*l.* a year, pending the completion of the building, to some other purposes, we should not be able, when the building was completed, to withdraw it from those purposes, and we should be left without the means of fulfilling our obligation; and not only without the means of fulfilling our obligation, but without the means of utilising the building we had constructed. It is in that manner that the savings of income accrue. The Lord Chancellor also did not say, that which it may interest the Commission to know, that among the students in the applied art schools there are a very considerable number of female students who are learning the art of wood engraving, and doing that very successfully. I cannot add anything to that which the Lord Chancellor has said as regards the way in which the institute came into existence, and as to what was done, except this, by-the-by,—a step that was omitted—which is that after the preliminary committee had obtained the advice of the gentlemen whose names you have heard (and also of Mr. Bartley, whose name was not referred to), a report was drawn up by the Committee and was submitted to the 11 companies who had sent their representatives to the preliminary committee; and I may say that in every instance that report was received and adopted by the company who had sent its representative, and that thereupon the institute came into existence having for for its members the 11 original companies. The Corporation also from the outset sent representatives, but it was some time before they contributed. However, they sent such a number of representatives as upon our scale they would have been entitled to send had they contributed 2,000*l.* per annum, the contribution they eventually gave, guarding themselves, however, by saying that they only gave it certainly for five years. When the institute was established, it was determined that there were four main heads of work it might forthwith be engaged in; and I think it will be found, as you have been told, that these heads agree very closely indeed with those set out in the advice which was given us by Professor Huxley. The four heads were the establishment in London of a central institution for the instruction of teachers, principals, managers, foremen, and leading workmen; the establishment in one or more places in London of schools where the application of science and art to the industries could be taught; the aiding pecuniarily of other institutions in London or the provinces, providing exhibitions, apprentices' fees, and matters of that kind; and the taking over from the Society of Arts and the developing their technological examinations. You have been told fully what has been done with respect to the central institution; but I may mention that Mr. Waterhouse was the architect selected, and that the design he has produced is one which, while not of a meagre and improper character for the neighbourhood, or for the land which we have had given to us, is by no means ostentatious, and by no means extravagant, and that the greatest possible attention has been paid to internal accommodation for the work of the building, much more attention than to the mere decoration of the outside. With respect to the school at the Finsbury College, I may mention in addition to that which the Lord Chancellor has told you, that it has taken over the work of the Artizans' Institute, which is now being carried on in that college; and also quite recently it has taken over the work, or is about to take it over, of the City School of Art, an old established school of art, which will have to be accommodated in that building likewise. Then as regards the pecuniary aid to other institutions, we give 200*l.* a year to the Chair of Engineering at University College, London; 200*l.* a year to applied chemistry at that college; 200*l.* a year to applied art at King's College, and 200*l.* a year to a metallurgical professorship there; and we have given very large sums indeed for the establishment of the laboratory and works at King's College. Also in the country we are subsidising, although not to so large an extent, certain institutions. At Nottingham, for example, we have recently endowed a chair in the new university to the extent of 300*l.* a year; and I may say that one of the companies, the Drapers', who have contributed very largely indeed, have added to their contributions quite recently a sum of 500*l.* a year, on the condition that it shall be devoted entirely to the purpose of aiding provincial institutions. With respect to technological examinations, the Lord Chancellor has told you of their great development; but I wish to point out to the Commission that in truth these are not mere examinations to ascertain that which is known by the person who comes up to be examined, but that as we pay the teachers by the results they are the means of joining and of assisting to support classes for institution, but I wish to add we do not make it a necessity that the person examined should have been instructed in any particular class or school. We examine him and give him a certificate, whether he has been taught in class or is self taught, but we do not give him his full certificate unless he has passed in two science subjects as well. Reverting to the Central Institution, I wish to say that the site was selected for a variety of reasons. As the Lord Chancellor has said, having regard to the fact that the education which was to be given there could not be given to persons who were at the time engaged in industrial pursuits, as their whole time must be devoted to the education; it was thought that it was not important the Central Institution should be in the neighbourhood where the artizan classes principally dwell. We did think it was important that it should be in a place readily accessible to persons living in comparatively cheap houses or lodgings in the outskirts of London (and almost any site that was within easy reach of a station upon the Metropolitan Railway or the Metropolitan District Railway, having regard to their extent and ramifications, would fulfil that condition), but then the special reasons for selecting South Kensington from among all the places in the neighbourhood of stations on these railways was that our school of applied science and art would be established close to the science schools where there are hundreds of persons being educated in science and in art who, after having passed a portion of their time there, might come over to our school as (if I may use the term) "half-timers," and eventually come to our school altogether when they had completed their studies on the other side of the way. Those were reasons, therefore, for selecting that place. Then again, I will not conceal from you that there was the pecuniary reason that we did not want to spend money for land if we could get it for nothing. If the letter to which I have referred were read, you would see we pointed out to the Commissioners that we thought there could be nothing more germane to the original objects of the Exhibition of 1851, the Exhibition which brought the commissioners into existence, and that there could be no better following out of the views of the late Prince Consort, and of those who initiated the Exhibition, than the devotion of this land at an absolutely nominal rent—a peppercorn rent—to the purposes of the City and Guilds Technical Institute, and that by so doing that would be really following the views which initiated the original Exhibition.

1677. May I ask you just as a matter of explanation whether your work in London is now, or is to be in the future, concentrated at South Kensington?—No, certainly not. On the contrary we have got Finsbury College where we have 500 pupils at the present time, and we have got our school of applied art at Kennington.

1678. That was the object of my question; to ascertain that those were not swallowed up?—Clearly not. We hope that that Finsbury College will be a typical college, representing the kind of establishment we should like to see throughout the kingdom in manufacturing places. I further desire to say that in the outset the work of the institution was done entirely by the three honorary secretaries who sit behind us, Mr. Watney, the clerk of the Mercers' Company, Mr. Sawyer, the clerk of the Drapers' Company, and Mr. Owen Roberts, the clerk of the Clothworkers' Company; then we obtained temporary aid from Mr. Truman-Wood, who was at that time assistant secretary of the Society of Arts by the permission of the council of that society, but as the work developed it was impossible to carry it on in this manner, and it therefore became necessary to find some gentleman of competence who would devote his whole time to it. That was done, and I am happy to say that by the appointment of Mr. Philip Magnus as director and secretary, I think the institute has been very greatly benefited. I am reminded that Mr. Magnus is a member of the Royal Commission on Technical Education which is now considering the whole subject.

1679. (*To the Lord Chancellor.*) I suppose we may take it that the object of this deputation is twofold, that in the first place you wish to bear witness to what has already been done by the companies and by the Corporation in aid of technical education, and in the next place that you wish to indicate a purpose to which the funds of the city companies might be more largely applied in the event of there being any interference with their distribution by the State?—I do not think that I can say yes to that question. I do not think our views have extended in the least degree whatever to that second object. We of course are totally ignorant of what the Commission may think it their duty to do or to recommend, but we have had no object whatever in coming here to-day except to inform the Commission of what has been done, in compliance, as we understood, with the wish of the Commissioners.

1680. Then I will put my question in another way. I presume that one of your objects in coming here is to show what has been done for technical education, and to guard against the possibility of less being done in the event of any re-distribution of the city companies funds?—I rather decline to contemplate anything which may be done in the way of re-distribution of the city companies' funds. It is not at all for [illegible] so, to anticipate any opinion or judgment which [illegible] before this formed on that subject. If I am perm[illegible] which I made in I see that a gentleman who has [illegible] Inns of Court, as if it Commission has referred [illegible] about that that I thought the Inns the House of L[illegible] were to be inter[illegible] city companies were *in pari con-* of Courts [illegible] do not think so at all. The reasons that lead me to think the Inns of Court a public institution have no application whatever to any company, or at all events to the only company I know, that is the Mercers' Company, not the slightest. Therefore I decline to enter into any question of re-distribution at all. It is not for me to say whether the Commission may or may not think that there are grounds upon which any such thing may be right; I prefer not to go into that question.

1681. The Commission, I may say, have not expressed any opinion upon that subject?—Oh, no.

1682. I think we may take it from what you have said, that when this movement among the companies in favour of technical education was begun, it was a purely voluntary one on their part, and absolutely unconnected with any apprehension of interference from outside?—I think the dates I have given will show that that is so. Nobody can possibly speak as to other peoples' minds, but the fact that the Clothworkers' Company began this movement (on their part at all events) in the year 1873, will show, I think, that it was begun at a time when no propositions were before the public affecting the status of the city companies. It is impossible for me to say that that was so at the time that the institute was formed, because, in point of fact, a motion was made in the House of Commons at that time, or about that time, upon the subject. My own judgment was not influenced in the least degree whatever by that circumstance. I have always thought that the city companies, assuming them to be (as I believe them to be in law) absolute and perfect masters of their own property, as distinct from that which they held on trust, could do nothing better with their property than promote objects which were for the public interest, and my judgment in co-operating with this undertaking was entirely uninfluenced by anything which was suggested in the way of interference.

1683. I should not have asked your opinion but that you kindly volunteered to state it upon that point?—Yes.

1684. Are we to take it from you that the city companies are entitled to their property in the same manner and as fully as a private owner would be?—In point of law they are in my opinion absolutely entitled to it, and under no trust whatever. It will, of course, be understood that I do not speak of estates which have been given to them on any special trusts. Morally, I do not think that I, as a member of a city company, should choose to be a party to using it in exactly the same way as I should use what was my own as an individual.

1685. You acknowledge a greater moral responsibility to the public than in the case of private property, but not any greater legal right?—That is my impression. I do not know that I can express it much better. They are ancient institutions; the funds which I call their own property were derived, as far as my knowledge extends, from their own subscriptions, and gifts by their own members and others, intended to be for their absolute use; and although I do not think the present generation ought to put those gifts into their pockets, yet, on the other hand, I cannot admit for a moment that they are upon the footing of public trusts.

1686. (*Lord Coleridge.*) I should like to ask [illegible] that Lord Chancellor whether he draws an[illegible] very easy to between an ordinary natural [illegible] like a corporation crea[illegible]ce it might have upon distinction, und[illegible] I assume that Lord Coleridge measure[illegible] be of opinion that if a club, for example, were incorporated, its nature would be substantially changed; or (I should think) that a joint stock company is to be regarded as public because it is incorporated.

1687. (*To Sir Frederic Bramwell.*) What is the examination; for example, how do you examine in wood-carving?—We do not examine in wood-carving.

1688. That is a short answer. Will you give it me in any one of those 38 subjects that the Lord Chancellor has referred to?—I will begin with the first one, they are in alphabetical order—alkali manufacture.

1689. How do you examine in alkali manufacture?—We appoint examiners; we have a syllabus.

1690. Would you mind taking it in the concrete. An alkali pupil comes up and submits himself to an alkali examiner—what is the process, or what happens?—He has to answer the questions that are put to him in papers that are set by the examiners.

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1691. On the nature of alkalies ?—The papers are set by competent persons upon various matters in alkali manufacture. Here is the examination paper for 1880 divided into elementary, advanced, and honours. (*The same was handed to his Lordship.*)

1692. (*Sir N. M. de Rothschild.*) For examination, I suppose, you select subjects which are kindred or useful for trades. You say you do not examine in wood-carving, but you would examine in subjects which relate to or bear upon wood-carving eventually. Alkali is a very elementary manufacture, is it not ?—It strikes me that it is a very vast industry; there is too, a certain town called Widnes, which the noble chairman knows a good deal of, which would not look upon alkali manufacture as an unimportant branch.

1693. (*Mr. James.*) The only question I will venture to ask the Lord Chancellor or Sir Frederick Bramwell is, why have not all the companies joined in this project which is so admirable ?

(*The Lord Chancellor.*) I am afraid I cannot answer that without a knowledge of the circumstances of all who have not. I think the Merchant Taylors' is the most important of those who have not, and I am hardly at liberty to speak for them, but I believe they have spent a very large sum upon the schools with which they are connected, and that probably is the reason why their names do not appear in the list of subscribers. I am not sure that more than one other very important company is absent. Twenty-eight is the whole number of companies which have now joined, and I think the Commission will find that, with the exceptions which I have mentioned, the others are small and poor companies. I do not despair of all or most of them doing what they can hereafter.

1694. The council entertain a hope that they will all sooner or later be able to make some contribution ?—We have been entertaining that hope, certainly, and they do by degrees come in.

(*Sir F. Bramwell.*) I may say that 10 out of the 12 principal companies have joined; the Merchant Taylors' and Haberdashers' are the only two of the 12 companies who have not; the other 10 companies have joined, and 18 of the minor companies.

1695. (*Mr. Pell to the Lord Chancellor.*) I think you said that with respect to the Corporation property it was not subject to any trust, and that the control of each company over that property was absolute, is that so ?—I know no legal limit to it, or equitable limit in the legal sense of the word equitable; but they have never, to my knowledge, used it except for their hospitalities or for their own management expenses, and for the relief of the wants of their poorer members, and for various charitable and useful public purposes. What I mean is this, that I have never heard of a dividend being made of the property of the company; it may be so in some cases for anything I know, but I never have heard of it, and certainly it is not so in the only company with which I am well acquainted.

(*Sir F. Bramwell.*) I may say that I have never heard of it, and it most certainly is not so with the only company with which I am well acquainted.

1696. Although no dividend is made in the case of the company with which the Lord Chancellor himself is so intimately connected, namely, the Mercers' Company, has there not been some very large distribution out of their income among the members of the company to the extent of something between 8,000*l.* and 9,000*l.*

(*The Lord Chancellor.*) What I think the Commissioner refers to probably, is this, that the attendance fees which they allow are paid to all the members of their general courts who attend the general courts, and to all the members of the courts of assistants who attend the courts of assistants, which are numerous, and in that way there can be no doubt that a very considerable sum is consumed, but it is manifest that it is upon the footing of attendance fees, and not upon the footing of dividend; whether or no such numerous courts are necessary, or whether or no it is necessary that the members should all go to them, is a question which I will not enter into, but judging from what I myself have seen in the court of assistants of the Mercers' Company, I am bound to say that the gentlemen there attend in the way of business, do the business, are attentive to the business, understand it, and take an active part, both in promoting good objects, and, if there is a difference of opinion, in checking those which they do not approve of, so that it is not by any means, according to my experience there, a case of nominal attendances and payments for them. It is real attendance and real attention to the business.

1697. And that the sum granted is commensurate with the services rendered ?—That is a matter of opinion. If they are at liberty to use their money by doing anything they please with it, giving it away in any manner they like, the allowance of attendance fees (which do not certainly exceed those allowed to directors of a great number of companies) does not seem to me a thing with which they are to be reproached. Whether they might manage their affairs more economically or not is another question.

1698. (*Mr. Firth.*) I should like to ask your Lordship one question upon that which is not perhaps exactly the object of this deputation; could you tell us how this sum of 8,765*l.*, which you have returned, was divided amongst the court of assistants ?—Really I did not come for the purpose of answering questions upon that subject, but all I can say is that I never heard of its being divided in any other manner than by attendance fees for actual attendances to those who are present, and take part in the meetings and in the business; and I do not believe that 1*s.* of it was ever otherwise used.

1699. I did not intend to introduce any subject, except so far as it had been introduced. I should like to ask you this question, if I might; the charters of the earlier companies confer powers of holding land in mortmain; many of them express that the incomes of those lands are for the purposes of sustaining the poor; would you say that those lands are not now impressed with the charitable trust ?—I really should not like to answer a question of law as to a matter with respect to which I do not know the facts. The charters of the Mercers' Company, which I have seen, show that the company was formed for the purpose of mutual benefit, and, no doubt, for the purpose (which I believe they have always carefully attended to) of assisting their poorer members when they fall into necessitous circumstances, but any general trust upon those charters for charitable purposes I am quite satisfied does not exist. I cannot speak of other companies, of which I know nothing.

1700. Would not you say, with regard to the charter of the Mercers' Company, 17th Richard II., that that was an incorporation for charitable purposes ?—No, I should not.

1701. (*Mr. Alderman Cotton.*) I do not know whether the Lord Chancellor would like to answer the question, but I have been rather led on to this by the questions which have preceded my opportunity of asking any. Do you think there could be a better or more honourable system of management of the property of the guilds than that by which they they are now managed by the courts of the companies ?—I really think I ought not to answer that question. First of all, I know nothing of any but my own company; and, secondly, I do not think that I should take upon myself to enter upon any such comparative judgment at all. As regards their being honourable, I must say, as far as my knowledge goes, I can most easily answer that they are perfectly honourable, in my judgment, and to the extent of my knowledge.

1702. Do you think that the companies would make a proper use of their funds in promoting education in all its branches, and in promoting other objects and schemes for the public good ?—I am sure that they do a great deal of good in that way; as to whether they might do still more is another question.

1703. (*Viscount Sherbrooke.*) Can you tell us at all what sum has been spent upon this good work ?—It is

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not all spent. The total amount of the annual subscriptions down to the present time I may say is 63,000*l.* in round numbers, and the sum subscribed for the building funds, 42,250*l.*; that makes 105,000*l.* That is for the Institute alone. The Clothworkers' Company have done something beyond that.

1704. Do you see any prospect of any great increase in this work, or do you think it has reached the limit?—My impression is that when it is well started and the two colleges are fully at work, that whatever funds are wanted to keep them going on are pretty sure to be supplied.

1705. You could not go further than that?—No. I have read a passage from Professor Huxley's report, in which he estimates the probable cost of the Central Institution at 5,000*l.* to 6,000*l.* a year. I daresay it would be more.

1706. I daresay you could not tell us what the incomes of the persons and the different companies that subscribe to this work are?—No, I cannot tell you that.

1707. (*Chairman to Sir F. Bramwell.*) Is there anything you wish to add to the evidence you have already given?—Yes, I think I should like to say, as bearing upon the question of whether this work is likely to develop, that undoubtedly the advantages to be derived from it will largely develop when the Central Institution is opened. We have funds sufficient to carry it on to more than the extent stipulated with the Commissioners. I have already explained that the savings from income which will go towards the building fund are the portions of that income which, when the building is open, will be applied to its work, and there will be then a very large development of the useful work done by the institute. And further, as far as my opinion goes, I have no doubt whatever if the companies are left in the control of their funds, that they will not neglect that which they have begun, and that they will find such funds as can usefully be applied to the purpose. I have not the slightest doubt about it. I speak of one company with very great confidence, and, should like to give the Commission an instance of what they thought fit to do when they doubled their subscription, as they did a short time ago, and raised it from 2,000*l.* to 4,000*l.* a year. The raising of that subscription entitled them to send two more members to the executive committee. They had previously sent Mr. George Matthey, a Fellow of the Royal Society, and a most scientific metallurgist, and myself as their representatives. They were then entitled to two more. They had plenty of members of their own court, well qualified men, but they thought they could do better than send any man from their own court, and accordingly they made Dr. Siemens a liveryman by special grant, with the express object of being able to send him as one of their representatives to the executive committee, in the belief that that would be for the benefit of the institute.

1708. (*Viscount Sherbrooke.*) Do you consider that there is no risk, that you may not overstock the market in this manner; how are you to judge?—I do not think you can overstock the market in this manner, because really that which we are doing is instructing men how to carry on their business with knowledge instead of without knowledge, and I cannot for one moment contemplate that our efforts, however great they may be, can ever exceed the extent of the manufacturing industry of the kingdom.

1709. Is it not also attracting people into a line of business that they would not, except for this inducement, have ever thought of going into?—It does appear to me to be so. What it does appear to me to be is this, that persons being engaged in business, or having a taste for business, will be enabled to undertake that business with a knowledge of what they are doing instead of being compelled to undertake it upon the sort of rough practical teaching, that they otherwise would have gained, and which they would alone have gained.

1710. Is not the demand of the public for all things a surer guide than the speculations of any number of gentlemen who wish to set a thing of this kind on foot?—I do not know that I follow you. I do not know that there was a demand for technical education a few years ago. It was a thing comparatively unknown in England, and we were being beaten by foreigners. When we examined into it we found that they had institutions of this kind throughout their countries, and we believed it to be mainly owing to those institutions which they had got, but which we had not, that we had been put into the position we occupied in manufactures.

1711. (*Sir R. Cross.*) As I understand, one of the principles you lay down is that, the real practical learning of a trade must be in the factory and the workshop?—Yes.

1712. You do not mean to interfere with that at all, but to enable a person who goes to the factory or workshop, to go there with superior knowledge and to put it into use there?—Precisely so. I should very much like to refer you on that to the original report. We do not profess to teach the business, we only profess to teach the application of the science or the art that underlies those businesses. The report to which I refer was the original report of the preliminary committee to the companies, who had appointed it to investigate the subject. It was called an executive committee then, although that is not to be confounded with the present executive committee of the Guilds Institute, as incorporated. Paragraph 6 of that report says:—"It appears to your executive " committee that, except in some very special in- " stances, such as the introduction of a new industry, " or the revival of an old one, the companies should " not endeavour to effect this improvement by teach- " ing the workman to be more expert in his handi- " craft; as in their judgment this form of improvement " is one which must be derived from greater assiduity " in the workshop, and from longer practice therein, " and they therefore are of opinion that, except in " special cases, it would be unwise to establish any " place for teaching the actual carrying out of the " different trades; that is to say, a place in the nature " of a model manufactory or workshop, or to provide " instructors, for instance, in sawing and planing, and " in chipping and filing; but they advise that the " direction to be pursued in improving technical edu- " cation should be one which will give to those " employed in manufactures the knowledge of the " scientific or artistic principles upon which the parti- " cular manufacture may depend. As illustrative of " these views they would refer to two great industries, " iron and textile fabrics. With respect to iron, it is " believed it would be unwise to endeavour to improve " that manufacture by instructing a puddler how to " handle his tools in a superior manner, or the blast " furnaceman how to manipulate his furnace; but on " the other hand, your executive committee think it " would be of great utility to give to such men (and " especially to the managers of iron works) the scien- " tific instruction which will enable them to know " why it is that occasionally, in spite of manual " dexterity, and in spite of attention, the puddle-bar " is bad, or the pig iron is unsaleable, except at a " reduced price. The application of the science of " chemistry to the manufacture of iron affords this " knowledge. Instructed in such application, the " ironmaster, his manager, his foreman, and even his " workmen will know how, when varying fuel, or " varying mineral or fluxes, are brought under treat- " ment, to alter that treatment to suit the particular " foreign (and commonly noxious) matters which are " found accompanying the fuel, the flux, or the ore, " and how, notwithstanding these admixtures, to " succeed in producing an excellent quality of iron." I should like to break off there to remind the Commission of what has been done in the enormous improvement in the manufacture of Bessemer steel by the introduction of an entirely new chemical process which has enabled the phosphoric iron ores of the Cleveland district to be successfully used for Bessemer steel in substitution of the hematite ores, which alone

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had been found fit for that purpose previously. "Similarly, as regards the manufacture of textile fabrics. "While in the opinion of your executive committee it "would be unwise to follow the plan which has been "pursued in some places upon the Continent of endeavouring to give extra dexterity to the operative by "establishing model manufactories or workshops, it "would be most wise to give the chemical knowledge "and the artistic instruction which would enable the "worker to grapple with differences in the quality of "water, differences in the quality of dyes and of the "materials to be dyed, and would likewise secure the "designer from violations of the canons of good taste, "and your executive committee are glad to say that "in the foregoing views they are, without exception, "fully supported by the reports of those who have "kindly assisted them with their advice."

1713. (*Viscount Sherbrooke.*) How do you estimate the number of persons who are to be taught. Do you take as many as choose to come?—I think we may safely for a long while take as many as choose to come, and that we have funds for.

1714. How do you know that there will be employment for all those people?—I am sorry to say that they must take their chance of that I presume as they would have had to have taken it if they had been less well educated, but I should think they would have a better chance when they are well educated.

1715. Do you think that that necessarily follows? —I think so. I do not think we are about to add directly to the number of the persons who will go into an industry, but that we are about to enable those persons who do go into any business to carry on that business with better knowledge.

1716. Suppose you were to educate a number of persons in any particular trade, do you think that would at all make it certain that there would be employment for those people?—I do not think it would make it certain, but I think they would stand a better chance, because I think if we so educate them we shall bring trade to England which would otherwise go elsewhere where the people are educated; and I think that they will stand a better chance because there will be more trade to do, and because employers would rather have them than others who are not so educated.

1717. Do you not think that by throwing aside the ordinary safeguard of supply and demand, you run very great risk of bringing up people to employments that they may not be able to find means of fulfilling in a lucrative manner?—I cannot agree with you, to begin with, that we are bringing up people to follow employments at all. My view of the matter is that persons having contemplated following certain employments, we are simply aiding them in learning the business they had already intended to follow.

1718. You do not think that your aiding them has any effect in increasing the number?—I do not think it has immediately, although it might remotely, in this way, it may increase the trade by reason of the work being better done, and therefore a greater number may go into it.

(*The Lord Chancellor.*) I cannot help thinking that Lord Sherbrooke's view, as indicated by the questions he has put, is to a great extent met by the experience of foreign countries, because both at Paris and Zurich, and at other places there are very much larger institutions of this kind, than we can for some considerable time hope to establish here, and I believe there is not the least doubt entertained that they are found very beneficial to the arts and manufactures of those countries.

1719. (*Mr Alderman Cotton, to Sir F. Bramwell.*) I should like to ask you one question; do you not think that the building at South Kensington, upon which you are going to spend the bulk of your funds, and have spent the largest amount of your money is badly situated for the use of the artizan and labouring population?—I have endeavoured to explain that we do not expect that at that building persons who are engaged at the time in labour will be instructed. We intend that for the higher class of teaching, and for such teaching as will involve the persons who are taught not being at that time engaged in labour at all; and if, therefore, the building is accessible to those living in the cheap parts of the outskirts of London, we think it is a thoroughly suitable site. I have given the reasons why on other grounds we thought it an extremely suitable site. I may say if we had the matter to do over again, with all the experience we have got upon it, I think we should be doing rightly to do as we did before, and to approach the Commissioners to give us this piece of land.

1720. (*Mr. James.*) It will be admitted that the basis of all technical education must be general education?—Yes.

1721. I should like to know whether, in the case of any of the pupils who have presented themselves to your college, you have found that their general education has been so deficient that the endeavour to engraft technical education upon that deficient general education, has been of no use?—I do not think we have, up to the present time, at all suffered from that. I think there has been a sufficient amount of general education to enable them to appreciate the instruction which has been given. It may be that some have been debarred from coming, because they had not got this general education to begin with, but all those who have come, so far as I know, have been able to profit by it.

1722. The distinctions between classes in this country are not very closely drawn, but I imagine that your pupils are drawn from the class of those who might be termed the middle class rather than from the distinctly working class?—I doubt if that is so; at all events it is not so at the Finsbury College. The other is not open yet, and the Finsbury College we have put in the very heart of a large artizan population.

1723. Of course the distinction between the two is one that is very difficult to define?—And I may say that the technological examination shows that the persons who come to those classes are distinctly the working class.

1724. (*Mr. Alderman Cotton.*) Are you not going to teach at South Kensington precisely what is taught in the building opposite, that is, in the Science and Art School of the Museum?—No, on the contrary, we hope that after persons have been taught *there*, they may come to us to learn the application, to actual manufacture, of that which they have been taught over the way.

1725. (*Viscount Sherbrooke.*) You are then inviting people to enter upon a particular kind of industry that they would not otherwise have entered into but for your invitation?—I again regret to have to say I cannot agree with you. To my mind, if a man opens a general shop, he cannot be said to invite anyone to buy candles at that shop any more than he invites him to buy soap. We are going to open an institution where we shall give instruction as to the application of science and art to various industries. That does not seem to me to be an invitation to people to follow a particular business.

1726. I thought you said that a number of people would be attracted to certain businesses?—I did not intend to convey that by my answer.

1727. (*Lord Coleridge.*) I understand you to say that indirectly only, trade might be increased; and, therefore, as there would be more trade to do, there would be more people required to do it?—That is so.

1728. Because it would be better done?—Because it would be better done.

Adjourned to Wednesday next at 4 o'clock.

APPENDIX A.

City and Guilds of London Institute for the advancement of Technical Education.

City and Guilds Technical Institute.

City Technical Science Classes.—Session 1881–1882.

During the session, commencing Oct. 3rd, 1881, Professor Armstrong, Ph.D., F.R.S., and Professor Ayrton, F.R.S., will continue their tutorial and laboratory courses of instruction in Chemistry and Physics as applied to the arts and manufactures, at the Cowper Street Schools, Finsbury, in rooms rented from the Middle Class School Corporation pending the completion of the City and Guilds of London Technical College, Finsbury.

From this date the trade classes transferred from the Artisans' Institute, St. Martin's Lane, W.C., will also be conducted in the same building.

TECHNICAL CHEMISTRY.

Henry E. Armstrong, Ph.D., F.R.S., Professor.

The Chemical Laboratory will be open daily (Saturdays excepted) from 10 a.m. to 5 p.m., and on Monday and Friday evenings from 6.30 to 9 for students desiring individual instruction. Fee (inclusive of apparatus and materials*) for day students attending six hours a week, 5*s.* for the term, or 12*s.* 6*d.* for the session; 12 hours a week, 7*s.* 6*d.* for the term, or 1*l.* for the session. Fee for students attending one evening a week, for the term, 3*s.* 6*d.*, for the session, 9*s.*; two evenings a week, for the term, 5*s.*, or for the session, 12*s.* 6*d.*

There will also be the following classes and lectures:—

Day Classes and Lectures.

Dr. Armstrong will deliver a course of lectures introductory to the study of various branches of Applied Chemistry on Wednesdays at 10 to 11, and on Fridays at 2 to 3, commencing October 5th.

A laboratory class, specially suited to students attending this course, will be held on Wednesdays at 11 to 1, and 1.30 to 3.30, commencing October 5th.

In connexion with this course, Mr. Evans will discuss exercises, &c., and give a series of lecture demonstrations, at a time which will be arranged to suit the convenience of the class.

Fee for the laboratory and lecture course, 7*s.* 6*d.* for each term, or 1*l.* for the session.

Evening Classes and Lectures.

A course of laboratory demonstrations in Organic Chemistry will be given by Dr. Armstrong on Monday evenings at 6.30 to 9.30 o'clock, commencing October 3rd.

This course is principally intended for distillers (including coal-tar distillers and spirit rectifiers), and will be suited for candidates in subject 4 at the technological examinations; but it is hoped that students who have attended a previous course on the chemistry of brewing may be able to continue their attendance, and that new students of this branch of Organic Chemistry may also present themselves. Students desiring to obtain a knowledge of the chemistry of bread-making should attend on this evening.

On the same evening, at 6.30 to 9, Mr. Evans, chief assistant in the Chemical Laboratory, will give a course of laboratory and lecture demonstrations on the properties of the more important metals and metallic compounds, with reference to their practical applications and their analytical determination and estimation. Copper, iron, lead, silver, tin and zinc will be the metals principally treated of, and the wants of plumbers and metal workers generally will be as far as possible considered.

Dr. Armstrong will commence, on Friday, October 7th, a course of lecture and laboratory demonstrations on fuel, with special reference to coal gas as a heating and illuminating agent. Laboratory class, 6.30 to 8.30; Lecture, 8.30 p.m.

Candidates in the subject fuel at the technological examinations may with advantage attend this course.

In this course, the principles on which combustion depends will be fully explained and illustrated; also the methods of determining the heating power of fuels. The properties of the several fuels, their composition, and their heating powers will be demonstrated; and the relative advantages of various fuels and the different modes of applying heat will be discussed. Subsequently, the determination of temperature, the temperatures required for and obtained in various technical operations, and the circumstances affecting the combustion of fuels will be considered. Illuminating agents will form the subject of the latter part of the course, but it is important that students who may desire to specially devote their attention to this subject should attend the earlier part of the course.

In the laboratory course, the students will have the opportunity of experimentally studying the laws of combustion, the properties of fuels, and the method of determining their composition and heating power, and of instituting various experiments with fuels. Later on they will take up the subjects of illuminating agents.

Fee for each of these courses, for the term, 5*s.*, or 12*s.* 6*d.* for the session.

TECHNICAL PHYSICS.

W. E. Ayrton, F.R.S., Professor.

The Physical Laboratory will be open daily (Saturdays excepted) from 10 to 5 p.m., and on Monday and Wednesday evenings from 6.30 to 9.30, for students desiring individual practical instruction in technical physics. Fee (inclusive of apparatus and materials†) for day students attending six hours a week, 5*s.* for the term, or 12*s.* 6*d.* for the session; 12 hours a week, 7*s.* 6*d.* for the term, or 1*l.* for the session. Fee for students attending one evening a week, 3*s.* 6*d.* for the term, 9*s.* for the session; two evenings, 5*s.* or 12*s.* 6*d.*

There will also be the following classes and lectures:—

Evening Classes and Lectures.

Professor Ayrton will continue on Monday evenings, from 8.30 to 9.30, commencing October 3rd, the course on Electrical Instrument making, and give practical instruction in the scientific principles underlying the manufacture and testing of condensers, induction coils, and telephones. The students will have the opportunity of performing themselves the experiments suggested at the lectures, as well as of obtaining information from the Professor regarding technical difficulties, by attending a special laboratory course, to be held on Monday evenings, from 6.30 to 8.30, commencing October 3rd.

This course is suited for candidates in branch C of electrical engineering at the technological examinations. Fee for the term, 5*s.*, or 12*s.* 6*d.* for the session.

Syllabus of the Course on Electrical Instrument Making.

Condensers.—Construction of; materials employed. Necessity for drying the insulating compounds. Injury done by overheating a dielectric. Modes of purifying paraffin, shell-lac, &c. Capacity of a condenser depends on the area of the conducting coatings, the thickness, nature and temperature of the dielectric. Absolute condensers with calculable capacity, construction, and practical use of, &c. Practical methods of measuring the insulation, resistance, and capacity with a galvanometer or with an electrometer. Choice of method depending on the kind of condenser tested. Adjustment of capacity. Effect of residual charge, how to diminish. Manufacture of condensers to be used with very high electromotive forces. Outside of condenser boxes; proper mode of making the terminals, &c.

Submarine Duplex Telegraphy.—Principles of. Artificial cables, use and construction of. Special method of testing the capacity, the insulation of the dielectric, and resistance of the conductor. How to adjust each, &c.

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* Students will be expected to make good breakages and injuries to apparatus not caused by fair wear and tear.

† Students will be expected to make good breakages and injuries to apparatus not caused by fair wear and tear.

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INDUCTION COILS.—Fundamental principle of. Use of iron-wire core. Time of magnetising and demagnetising of iron. Quantities of electricity induced on making and breaking the primary circuit equal to one another, but the electromotive forces of the two induced currents very unequal. Proper resistance to give to the primary and to the secondary coils. Mode of winding the wire to secure high insulation, and to obtain maximum effect; shape of coils; actual results obtained with ring-shaped core. Contact makers; usual forms; modes of varying speed of making and of breaking the circuit. Improvements that can be effected by using automatic current reversers. Use of condenser with primary circuit and with secondary circuit. Experimental determination of the efficiency of induction coils. Employment of induction coils in electric lighting, and in chronographs for measuring very small intervals of time. Duration of the spark discharge, &c.

TELEPHONES.—Principle of small recurrent effects. Early forms of telephones. Improvements introduced by Prof. Bell. Dead-beat effects produced by lightness and rigidity of iron membrane. Reason for using a flat-coil wire. Edison's telephone, use of induction coil, details of construction. Ader's simple wire telephone, principle of. Gower-Bell telephone; construction of the horse-shoe permanent magnet, and kind of steel employed. Hughes' induction balance; theory of its action; mode of construction. Connection of its indications with the resistance and self-induction of the substance experimented on, &c.

On Wednesday evenings, from 8.30 to 9.30, from October 5th, Professor Ayrton will continue the course on the electric light, especial attention being devoted to the construction of the various forms of generators and to the laws governing their action and efficiency. The practical application of the principles of the electric transmission of power to electric railways will be entered into, and a critical examination made of the various systems of electric lighting at present employed in London.

A special laboratory class, for students attending this course, will be held on Wednesday evenings, from 6.30 to 8.30, in which students will be taught to make exact measurements of electric currents, electromotive forces and resistances, and to practically use absolute instruments when very strong electric currents have to be measured. They will then practise making measurements of the illuminating power of electric lights produced by various strengths of electric current, generated by dynamo-electric machines driven by a 6-horse power gas engine in the laboratory, fitted with suitable gearing to enable the dynamo-machines to be run at any desired speed; and they will compare the relative illuminating powers with the energy absorbed in the arc in each case so as to determine experimentally the relative efficiencies of different forms of electric lighting. The students will also experiment on the sensibility of the various lamps as regards their automatic adjustment, and on the efficiency of dynamo-electric machines relatively to one another and to batteries for the production of the electric current. Experiments will also be carried out regarding the practical efficiency of electric transmission of power under various conditions.

This course is suited for candidates in branch B of electrical engineering at the technological examinations. Fee for the term, 5*s*., or 12*s*. 6*d*. for the session.

SYLLABUS OF COURSE ON THE ELECTRIC LIGHT AND TRANSMISSION OF POWER.

General principles of electric transmission of power. Every electrometer acts as a generator. Energy expended in any portion of a circuit depends on resistance and electromotive force overcome, and on the strength of the current. Dead-beat absolute galvanometers for strong currents. Ayrton and Perry's multiple wire galvanometer. Calculation from current and difference of potentials of horse-power expended. "Arc horse-power measurer," &c.

GENERATORS of electric currents; batteries, description of the more important and their defects. Great efficiency of constant batteries. High price per pound of fuel consumed. Direction in which improvements may be looked for in batteries. Magneto and dynamo-electric machines; fundamental principles of the more important,—Wilde's, Holmes', Siemens', Gramme's, Lontin's, Burgen's, &c. Constant current; improvements to be made in the commutators, reverse current producers. Measurement of efficiency of current generators. Force dynamometers,—Morin's, Alteneck's, Ayrton, and Perry's; dynamometer-couplings; actual efficiencies practically obtained. Connection between the electromotive force set up, the current generated, the resistance in circuit, and the speed. How the results are effected by using a separate exciter. Coercitive force of the revolving iron armature. Self-induction of coils. Delay in induced current, and necessary shifting in adjustment of brushes. Saturation of inducing magnets. Direction in which improvements may be looked for in magneto and dynamo-electric machines. Proper employment of the electric light, possibility of subdivision. English patents regarding dynamo and magneto-electric machines, &c.

ELECTRIC RAILWAYS. — Inapplicability of present method to long lines. Modes of improving the conducting system. Automatic electric block system. Use of the electromotor under carriages as a brake. Storing up the kinetic energy of train on stopping, or on descending inclines. Efficiency of electric transmission of power; actual results obtained. Conditions for maximum efficiency. Electric reservoirs; use and practical efficiency of, &c.

PRESENT ELECTRIC LIGHTING OF LONDON.—Description and examination of the various systems. Relative efficiency.

On Friday evenings, from 7 to 8.30, commencing October 7th, a course of lectures will be given on the classified series of electrical experiments which have been arranged in the laboratory to enable students to verify the fundamental principles and laws in electricity and magnetism. It is desired that all students who have not already passed through such a course will attend it, as their laboratory work will be thereby much facilitated. The experiments that will be lectured on are given in detail in the Syllabus. Fee for the term, 5*s*., or 12*s*. 6*d*. for the session.

SYLLABUS OF THE COURSE ON ELECTRICAL LABORATORY APPARATUS.

Electrification, Conduction, Insulation. — Leakage through the insulating material; surface leakage; laws of leakage in artificially dried spaces; modes of effecting such artificial drying. Insulating supports; how usually made; their faults; how they should be made. Positive and negative electricity; equal quantities of the two kinds always produced simultaneously. Quantity and density of electricity; mode of measuring each. Induction. Electroscopes; ordinary method of constructing; faults usually existing; proper method of constructing. Electric potential; analogy with level or pressure. Electroscopes indicate, and electrometers measure, differences of potential. Electromotive force. The volt. Calibration of electroscopes. Density varies over a conductor, potential remains constant. Amount of work stored up in a charged body. Electric capacity; measurement of; Leyden jars. Farad. Specific inductive capacity; measurement of. Condensers. Absorption of charge; residual charge. Leakage from a Leyden jar; how to reduce to a minimum resistance of different substances to conduction or to disruptive discharge. Frictional machines; electric energy only equivalent to a small part of work done; reason of inefficiency. Induction machines. Electrophorous. Bertsch's replenisher, Holtz's. Great difference of potential, but small current.

Meaning of an electric current, and the direction of flow. Action of currents on magnets, magnets on currents, and currents on currents. Current proportional to chemical decomposition. Amount of decomposition compared with simultaneous deflection of magnet in Tangent, Sine, and other galvanometers. Measurement of strength of magnetic field from time of vibration, or from deflection, of small magnet. Distribution of magnetic force in field produced by a current in a large circular coil. Strength of field produced by a solenoid with or without iron core. Measurement of heat generated by a current. Resistance proportional to heat generated by the same current in different conductors. Calibration of a galvanometer by comparison with a standard instrument, and without using known resistances. The Ohm, Veber. Ohm's law. Distribution of potential along a conductor traversed by a current. Resistance coils. Measurement of resistances. Wheatstone's bridge. Differential galvanometer. Construction of rough resistance coils. Change of resistance by heating. Measurement of battery resistances. Calibration of a galvanometer without using a standard instrument. Amount of magnetism produced in iron core by a current flowing through the separate layers of the surrounding bobbin. Amount produced in iron core by a current flowing through a

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coil placed at different positions along it. Force produced by an electro-magnet for different currents. Saturation. Residual magnetism. Best mode of arranging batteries to obtain (1) maximum current, (2) maximum magnetic effect, (3) maximum heating in any portion of circuit. Proper resistance to give to an electro-magnet, &c.

Production of a current by the relative motion of a coil and a magnet, laws governing. Impossibility of producing a continuous current without a break in the wire, &c.

DAY CLASSES AND LECTURES.

The preliminary course of lectures on Electricity and Magnetism, fully illustrated with experiments, will be delivered on Tuesday and Thursday afternoons, from 1.45 to 2.45, commencing October 4th. This preliminary course, although a continuation of the one commenced at the beginning of this year, will be so arranged that it may be joined by new students desirous of obtained such preliminary training as should be possessed by students proposing to study any branch of electrical engineering.

A laboratory class, adapted to the students attending this course of lectures, will be held on Thursdays at 10 to 1 p.m.

Fee for the laboratory and lecture course, for the term, 7*s.* 6*d.*, or 1*l.* for the session.

Students attending regularly any of the chemical or physical courses during the entire session, and passing a satisfactory examination, will receive a qualifying certificate, entitling them to the full technological certificate of the Institute on passing the technological examinations in allied subjects.

Provided sufficient merit be shown, the Institute's silver medal will be awarded, at the close of the session, to the first student, and the Institute's bronze medal to the second student, in each of the several sessional courses.

TRADE CLASSES TRANSFERRED FROM THE "ARTISANS' INSTITUTE."

Apprentices will be admitted to any one of the classes without further charge, for the whole term of eight months, on payment of a registration fee of 2*s.* The parent or employer of any apprentice joining the classes is requested to write to the teacher and state what trade the youth follows. The teachers are authorised to remove from the register the names of apprentices who are incapable of making progress, and to return the fees.

GEOMETRICAL PATTERN-CUTTING AS APPLIED TO METAL PLATE WORK.

This course of lessons will be found useful to tin, iron, and zinc workers, boiler makers, and copper smiths, and to candidates in "metal plate work" at the technological examinations.

Instructor, Mr. C. T. Millis.

Elementary, Tuesday evenings, from 7.30 to 9; Advanced, Thursdays, from 7.30 to 9.

Course of instruction:—

ELEMENTARY.—Problems in plane geometry; scales; methods of describing ovals, &c.; introduction to solid geometry, and its application to pattern-cutting; sections; elbows; construction of patterns for round, oval, oblong, and other tapering articles; oval canister top, tea-bottle top, &c., &c.

ADVANCED.—Areas of plane figures; oval, oblong, and equal end patterns of unequal taper; T elbows, &c.; vase and bath patterns; conic sections, their development and application to various patterns, as cowls, talboys, and spout patterns; cone penetrated by a cylinder at right angles and obliquely to axis, &c., &c.

During the session, an elementary course of instruction will be given to students on the physical properties of iron, galvanized iron, tin-plate, and on tinning processes.

Fee for the session of about eight months, 6*s.*

N.B.—Apprentices will be admitted on the terms previously indicated.

BRICKLAYING.

Instructor, Mr. J. Channon.

Monday evenings, from 7.30 to 9.30.

Course of instruction:—

SECTION I.—The construction and use of scales; linear drawing, including plans, elevations, and details; mensuration, simple quantities and accounts.

SECTION II.—Preparing foundations and concreting; setting out work in general; face and sectional bond; fire work; tunnel and sewer construction; bridges, groined arches, domes, and gauge work in general.

Fee for the session of about eight months, 6*s.*

N.B.—Apprentices will be admitted on the terms previously indicated.

CARPENTRY AND JOINERY.

Instructor, Mr. H. Staynes.

Elementary, Tuesday evenings, 7.30 to 9.30 Advanced, Friday evenings, 7.30 to 9.30.

Course of instruction:—

The treatment of woods with regard to shrinking and warping; practically setting out and working from drawings. The application of geometry to carpentry and joinery as required in enlarging and diminishing mouldings; the construction of hip-roofs, skylights, groins, niches, bracketing for coves and cornices, soffits in straight and circular walls, domical roofs, staircases, &c.

Fee for the session of about eight months, 6*s.*

N.B.—Apprentices will be admitted on the terms previously indicated.

BUILDING CONSTRUCTION.

Instructor, M. A. Harland, A.R.I.B.A., Certificated Member, Sanitary Institute.

Thursday evenings, from 7 to 9.30.

Course of instruction:—

PART I.—Description of the details of construction in the various branches of the building trade; the application of correct principles in the erection of dwelling-houses, &c.; the preparation of working drawings, &c.

The physical properties of the materials employed in building operations, and the principles governing their use and treatment.

The theoretical principles of construction as applied in the calculations of strains on girders and structures generally; the treatment of complicated or difficult cases of construction.

The principles of sanitary engineering as applied in the drainage and ventilation of buildings, water supply, &c.

PART II.—Mensuration as practically applied in the measurement and valuation of builders' work in the various branches, including the principles of taking off quantities from drawings, and measuring up executed work.

Fee for the session of about eight months, 6*s.*

N.B.—Apprentices will be admitted on the terms previously indicated.

PRACTICAL GEOMETRY.

Instructor, Mr. C. T. Millis.

Monday evenings, from 7.30 to 9.30.

Course of instruction:—

PLANE GEOMETRY.—Definitions, lines, triangles, quadrilateral figures and polygons; use of the protractor; angles and their applications; scales; construction of scale of chords; methods for drawing lines perpendicular to a given line; construction of triangle, polygons, &c.; properties of the triangle, polygon and quadrilateral figures; proportion of lines; areas of plane figures; and general application of plane geometry to mensuration, &c., &c.

SOLID GEOMETRY.—Introduction, lines, points, &c.; oblique planes; projection of oblique surfaces; problems on the line and plane; intersection of planes; plan and elevation of the cube, tetrahedron, octahedron, cone, &c., in easy positions; sections; plan and elevation of solids by means of change of ground line; plan and elevation of solids, with the inclination of a face and

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one edge in that face given, also plan and elevation with the inclination of two adjacent edges given, &c., &c.

Students attending the classes for metal-plate workers, bricklayers, and carpenters are recommended also to attend this class.

Fee for the session of about eight months, 6*s*.

N.B.—Apprentices will be admitted on the terms previously indicated.

Modelling in Wax, Clay, &c.

(For carvers, plasterers, and workers in gold, silver, and other metals.)

Instructor, Mr. W. Wright.

Monday and Thursday evenings, from 7 to 9.

Fee for the session of about eight months, two evenings per week, 10*s*. 6*d*.

The students will be taught to mould the models executed by them. They will be taught not only to copy from casts, but from natural objects.

House Decoration.

Instructor, Mr. H. Ramsay.

Wednesday evenings, from 7.30 to 9.

Fee for the session of about eight months, 6*s*.

N.B.—Apprentices will be admitted on the terms previously indicated.

Further particulars with respect to any of these courses can be obtained on application at the schools, or from the Director and Secretary of the Institute, Gresham College, London, E.C.

Philip Magnus, B.Sc., B.A.,
Director and Secretary.

August 1881.

Time Table.

—	Day Practical Classes.	Day Lectures.	Evening Classes. Practical Work and Lectures.	Evening Lectures, 8.30 to 9.30.
Monday	—	—	6.30 to 9.30. Organic Chemistry for Distillers, &c. 7.30 to 8.30. Quantitative Analysis. 6.30 to 8.30. Properties of Metals, &c. 6.30 to 8.30. Electrical Instrument Making. 7.30 to 9. Bricklaying. 7.30 to 9.30. Practical Geometry. 7 to 9. Modelling.	Metals. Electrical. Instrument Making.
Tuesday	—	Preliminary Physical Course. 1.45 to 2.45.	7.30 to 9. Geometrical Pattern-Cutting (Elementary). 7.30 to 9.30. Carpentry and Joinery (Elementary).	
Wednesday	Preliminary Chemical Course. 11 to 1 and 1.30 to 3.30.	Preliminary Chemical Course. 10 to 11.	6.30 to 8.30. Electric Light, &c. 7.30 to 9. House Decoration.	Electric Light.
Thursday	Preliminary Physical Course. 10 to 1.	Preliminary Physical Course. 1.45 to 2.45.	7.30 to 9. Geometrical Pattern-Cutting (Advanced). 7 to 9.30. Builders' Work. 7 to 9. Modelling.	
Friday	—	Preliminary Chemical Course. 2 to 3.	6.30 to 8.30. Fuel. 7 to 8.30. Lecture on Electrical Laboratory Apparatus. 7.30 to 9.30. Carpentry and Joinery (Advanced).	Fuel.

APPENDIX B.

City and Guilds Technical Institute.

City and Guilds of London Institute for the Advancement of Technical Education.

SOUTH LONDON TECHNICAL ART SCHOOL,

122 and 124, Kennington Park Road, S.E.

Session 1881–2.

Superintendent of Studies.—John Charles Lewis Sparkes.

I.—Modelling.

Mr. J. Frith, *Teacher.*

Classes for modelling meet every night from 7 o'clock till 9.30, except Saturday, commencing October 3rd. The fee for the life classes is 5*s.* per month, or 2*l.* for the session of 10 months; for the ornament classes 2*s.* 6*d.* per month, or 1*l.* for the entire session, payable in advance.

The course of instruction is arranged to meet the wants of all persons working at plastic art, such as carvers in wood, stone or marble plasterers, die sinkers, potters, modellers for potters, silver and goldsmiths' work, architectural carvers and decorators, sculptors and others.

The course will consist of: (*a*) lectures on decoration, especially the treatment of panels, spandrils, pediments, &c., and other similar applications of art to industry; (*b*) practice in modelling from casts of ornament in various defined historic styles, such as Greek, Roman, Byzantine, Romanesque, French and English Gothic, in their various styles and periods; Italian, French, and English Renaissance, and the later styles of the last two centuries.

The practice will be carefully adapted to the technical wants of the individual students.

Clay and the use of modelling stools and easels are provided by the school.

IIa.—Design (Advanced).

Mr. Hugh Stannus, *Lecturer and Teacher.*

The class meets on every Wednesday evening from 7 to 9 o'clock. The fee is 2*s.* 6*d.* per month, or 1*l.* for the entire session, payable in advance.

Instruction is given in higher decoration and design, especially in the Italian and classical styles.

Lectures, designing objects in a given time, and lessons to the individual student will occupy the alternate evenings. Details will be found on separate prospectus.

IIb.—Design (Elementary).

Miss Amy Walford, *Teacher.*

Classes for the study of design meet on Tuesday, Wednesday, and Friday evenings from 6 to 8.30, commencing October 4th.

The fee is 2*s.* 6*d.* per month, or 1*l.* for the entire session, payable in advance.

Instruction is given by lectures and practice in—

1. Drawing, flowers, foliage, and natural forms.
2. The arrangement of these studies in elementary designs.

All members of the class must have taken the second grade certificate of the Science and Art Department, or must be prepared, or preparing, to do so.

The course is adapted to students engaged in the practice of ornamental art, such as lithographers, engravers, house decorators, designers for textile fabrics, pottery, and all surface decorations.

Students find their own materials.

III.—Wood Engraving.

Mr. C. Roberts, *Teacher.*

The studio is open daily, except Saturdays, from 10 to 4, and from 6 to 8 in the evening. Students are expected to attend regularly and punctually.

The fees are 3*l.* a year, payable by half-yearly sums of 1*l.* 10*s.* in advance. No student can be admitted for a shorter period than one year.

The sections taught are—

1. Line cutting.
2. Tinting.
3. Fac-simile cutting.
4. Finished work in
    - (*a*) Ornament.
    - (*b*) Landscape.
    - (*c*) Figure.
5. Drawing on wood.

Male and female students occupy separate class rooms. On Tuesday and Friday evenings Mr. Roberts examines the work of the class; at all other times students are responsible to an assistant teacher or senior student, who will be always present.

All members of the class must have taken the second grade certificate of the Science and Art Department, or must be prepared to do so.

The first Tuesday evening in each month will be given to drawing on the wood, when each student will be required to bring some work, which may at first be a copy from some good woodcut, but must ultimately be original design.

A free studentship will be annually awarded, on competition, to the candidate who shows greatest proficiency in drawing, and may be renewed in the following year on proof of industry and progress, and on the recommendation of Mr. Roberts.

IV.—China Painting.

Miss Florence Lewis, *Teacher.*

Pending the completion of the new buildings of the City and Guilds of London Technical Art School, this class will be held at the Lambeth School of Art, Miller's Lane, Upper Kennington Lane, S.E. It meets on each Tuesday and Friday from 11 to 4.

The course consists of instruction in the manipulation of simple colours, and afterwards of those that require greater skill for their successful use. Landscape, figure, and decoration by natural flowers ornamentally arranged are the subjects principally taught, and all the practice at present is confined to working "over the glaze."

Students have the privilege of selling their works (if they are approved of and passed by the superintendent of studies) at the sale rooms of Messrs. Doulton & Co., Albert Embankment, S.E.

V.—Life Classes (Drawing and Painting).

Mr. L. C. Nightingale and J. H. Smith, *Teachers.*

Classes meet on every evening from 7 to 9.30 p.m. for the study of the draped and undraped model in alternation. Fee, 5*s.* per month, or 2*l.* for the whole session, payable in advance.

The study of the life is carried on to the highest point, and is arranged to give adequate instruction to students engaged in painting figures for pottery decoration, wood drawing, and all other applications of figure work to industrial art.

All classes, except those of modelling and drawing from the undraped model, are for male and female students.

The course of instruction occupies 40 weeks of the year. The vacations are: the months of August and September, one week at Christmas, and one week at Easter or Whitsuntide.

Time Table.

Subject.	Day Classes.	Evening Classes.	—
Modelling - -	—	7—9.30	Every evening except Saturday.
Design (Elementary) -	—	6—8.30	Tuesday, Wednesday, and Friday.
Design (Advanced) -	—	7—9	Wednesday.
Wood Engraving -	10—4	6—8	Daily, except Saturday.
China Painting - -	11—4	—	Tuesday and Friday.
Life Classes (Drawing and Painting).	—	7—9.30	Every evening except Saturday.

For further particulars and forms of admission, apply at the South London Technical Art School, 122, Kennington Park Road; or at 22, Berners Street, Oxford Street (Society for Promoting the Employment of Women); or at the Central Office of the City and Guilds of London Institute, Gresham College, London, E.C.

Philip Magnus, B.Sc. B.A.,
Director and Secretary.

Gresham College, London, E.C.

ELEVENTH DAY.

Wednesday, 28th June 1882.

PRESENT:

THE RIGHT HONOURABLE THE EARL OF DERBY, PRESIDENT.

HIS GRACE THE DUKE OF BEDFORD, K.G.
THE RIGHT HON. VISCOUNT SHERBROOKE.
SIR SYDNEY H. WATERLOW, M.P.
MR. ALDERMAN COTTON, M.P.
MR. WALTER H. JAMES, M.P.
MR. PELL, M.P.

MR. H. D. WARR, *Secretary.*

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MR. WILLIAM SPOTTISWOODE, President of the Royal Society, is called in and examined on behalf of City and Guilds Technical Institute.

1729. (*Chairman.*) I need not ask you whether you are the President of the Royal Society?—I am.

1730. And you have come here, as I understand, to give evidence on behalf of the City and Guilds Technical Institute?—I have.

1731. Probably you will prefer to make a statement in your own way as I am not aware of the particular points to which you desire that it should be directed? —It is generally admitted that the British workman is not inferior to his continental competitors in ability to work, in precision, or in dexterity of hand; but that he is outstripped by them, owing to a better knowledge on their part of the principles on which his handicraft is (often unconsciously) based, and a better acquaintance with the nature and uses of the materials which he employs. This knowledge forms part of general science, and may be made a part of an educational system. In many parts of the continent a wider dissemination of scientific instruction, together with better systematised modes of teaching in the secondary if not in the primary schools has long prevailed, and has raised the general level of information on these subjects considerably above that which is to be found here. In addition to this, technical schools of one kind or another, on a very large scale, have been instituted; and it is believed that the superiority of foreign manufacturers, as evinced by successful competition, is largely due to technical instruction. The object proposed in the City and Guilds of London Institute has been to supply this defect in the education and training of our manufacturing population, by providing and encouraging education adapted to the requirements of all classes of persons engaged, or preparing to engage, in manufacturing and other industries. With this object the Institute subsidises existing educational establishments, which, in the opinion of the Council, are providing sound technical instruction, and which would languish except for external aid. It also encourages in the principal industrial centres in Great Britain the formation of evening classes, in which workmen and foremen engaged in their several factories during the day receive special instruction in the application of the principles of science to the explanation of processes with which they are already practically familiar. It establishes and maintains in the metropolis, model technical schools, to serve as types of other schools to be established by local efforts in provincial towns, and lastly, it is erecting a Central Institution corresponding to some extent to the great polytechnical schools of Germany, Switzerland, and Italy, and to the École Centrale of Paris. With this varied programme the City and Guilds of London Institute is assisting, as efficiently and at the same time as economically as it can, in the professional instruction of all classes of persons engaged in industrial operations, of artizans, apprentices, foremen, managers of works, manufacturers, and technical teachers. The Council of the Institute has no intention of interfering with any existing social institution, such as apprenticeship, or any other relationship between employer and employed, but aims only at supplying the want of further instruction which is everywhere felt to exist by supplementing and by preparing pupils more thoroughly to profit by workshop training. For the actual training of workmen engaged in manufacturing processes apprenticeship schools as they exist in France are not recommended for imitation in this country. That the factory is the place in which skilled workmen engaged in manufacture can best be trained, is an opinion in which most of the leading manufacturers of this country and of the continent concur. In all the large manufacturing towns evening classes in technology, which are not State-aided as are the classes in pure science and art, are being assisted by the Institute. The work done by the students of these classes is inspected and examined by the Institute, and on the results of the annual examinations certificates and prizes are granted, which are frequently regarded as diplomas of proficiency, enabling operatives to obtain better employment and higher remuneration. These evening classes have already become, and are likely to be still more in the future, the nuclei of technical colleges, mainly supported by the towns in which they are situate, but connected with and affiliated to the City and Guilds of London Institute, by means of its examinations and superintending influence, much in the same way as other colleges are connected with a central university. The Technical College, Finsbury, which will shortly be ready for occupation, has been erected to serve as a model technical college, and to provide for the instruction of artizans and others in the city of London, and in the district of Finsbury. It already, in its temporary premises, contains a school of applied science. It provides systematic evening instruction for those who are engaged in the staple industries of the district, including cabinet-making, and in the application of chemistry and physics to special trades, such as spirit-rectification, electric lighting, &c. What the technical college is to the east and north-east of London, the art school is to the south-east of London. This school, situated in the Kennington Park Road, is intended to provide instruction for artizans engaged in various industries in which art aptitude is indispensable to success. The courses are for evening and for day students, for men and women, and the eagerness with which the instruction is received, and the numbers applying for admission, necessitating already a considerable extension of the building, show how much needed is this kind of supplementary training, and how highly it is appreciated by those for whom it is provided. The Central Institution is to give to London what it so much needs, a first class college; in which those who are to be engaged in the superintendence of great industrial works may receive their training, and in which technical teachers for the provincial schools may be educated. The establishment of this Central Institution will, it is hoped, render unnecessary the constant appeal to foreign countries where similar institutions already exist, for managers of works, engineers, and industrial chemists, and will be welcomed by manufacturers who feel the want in London of some such institution in which their sons who are to succeed them can obtain as good an education as at Paris,

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Zurich, Carlsruhe, or Berlin. Just as the École Centrale at Paris is about to be removed to the immediate neighbourhood of the Conservatoire des Arts et Métiers, in order that the students may be near to the collections of machinery and other industrial objects which the Conservatoire contains, so the Central Institution of London is being built near to the science schools and national museums of South Kensington. By erecting the institution in this district a great saving of first outlay and of annual expense will be effected, as the students during their first year's course will be able to avail themselves of the teaching of pure science which the new Normal School of Science now provides. That all intelligent and effective use of natural objects must be based upon a knowledge of their properties, and the mode in which they act upon one another, is a statement which can hardly be questioned. But inasmuch as the majority of handicraftsmen, indeed the majority of the community at large, can attain to but a very limited measure of knowledge, it is in the highest degree important that the amount to which they do attain, and the facts which they can acquire and retain, should be selected in the best manner and presented to them in the clearest and most useful form possible. In proportion as this is neglected their minds will either remain fallow, or being temporarily burdened with undigested matter, will relieve themselves of their burden at the first convenient opportunity. It is on this account that the promoters of the present undertaking have considered that some elements of scientific instruction should be a part of their charge, and should form an essential element of the scheme; and further that in its more advanced branches, as developed in the curriculum of the Central Institution and in the technological examinations, some evidence of scientific knowledge should be pre-requisite to the attainment of the highest distinctions. By science it should be understood that we do not mean anything scholastic or academic, or a course of study leading directly to research; but merely that knowledge of principles and of leading facts which, when properly taught, is within the grasp of all persons of average intelligence. Upon the quality of the teaching very much will depend, and the importance attached to this point is evinced in the "qualifications of teachers as recognised by the institute." The following is an extract from the regulations: "The examination in most of the subjects will be in two grades I. ordinary ('or pass'); II. honours. The ordinary or pass examination is intended for apprentices and journeymen; the honours examination for foremen, managers, and teachers of technology; but candidates may enter themselves for either grade. The following classes of persons may on application to the central office be recognised as teachers to the Institute (A.) Any person who obtains or has obtained a full technological certificate in the honours grade, or who has already obtained a full certificate in the first class of the advanced grade (programme 1881) of the subject to be taught (B.) Any person who is engaged in teaching science under the Science and Art Department, and who makes application to be registered not later than March 30th, 1882, after which date no person who is not qualified under A. or C. will be registered. (C.) Persons possessing special qualifications, to be considered by the Institute, for teaching technical subjects." The nature of the teaching contemplated in the technical schools, and, indeed actually going on at the college in Finsbury, will be best seen by the programme of the classes and lectures for the present session. These comprise the heads of technical chemistry under Professor Armstrong, and technical physics under Professor Ayrton. To these there has recently been added technical mechanics under Professor Perry. I will, with your Lordship's permission, put these appendices in, merely making a few extracts from them at this moment. "The Chemical Laboratory will be open daily (Saturdays excepted) from 10 a.m. to 5 p.m., and on Monday and Friday evenings from 6.30 to 9 for students desiring individual instruction." "There will also be the following classes and lectures. Dr. Armstrong will deliver a course of lectures introductory to the study of various branches of applied chemistry on Wednesdays at 10 to 11, and on Fridays at 2 to 3, commencing October 5th. A laboratory class, specially suited to students attending this course, will be held on Wednesdays at 11 to 1 and 1.30 to 3.30, commencing October 5th. In connexion with this course, Mr. Evans will discuss exercises, &c., and give a series of lecture demonstrations at a time which will be arranged to suit the convenience of the class. A course of laboratory demonstrations in organic chemistry will be given by Dr. Armstrong on Monday evenings at   . This course is principally intended for distillers (including coal-tar distillers and spirit rectifiers), and will be suited for candidates in Subject 4 at the technological examinations; but it is hoped that students who have attended a previous course on the chemistry of brewing may be able to continue their attendance, and that new students of this branch of organic chemistry may also present themselves. Students desiring to obtain a knowledge of the chemistry of bread-making should attend on this evening. On the same evening at 6.30 to 9, Mr. Evans, chief assistant in the chemical laboratory, will give a course of laboratory and lecture demonstrations on the properties of the more important metals and metallic compounds, with reference to their practical applications and their analytical determination and estimation. Copper, iron, lead, silver, tin, and zinc will be the metals principally treated of, and the wants of plumbers and metal workers generally will be as far as possible considered. Dr. Armstrong will commence on Friday, October 7th, a course of lecture and laboratory demonstrations on fuel, with special reference to coal gas as a heating and illuminating agent. Laboratory class, 6.30 to 8.30; lecture, 8.30. Candidates in the subject fuel at the technological examinations may with advantage attend this course. In this course the principles on which combustion depends will be fully explained and illustrated; also the methods of determining the heating power of fuels. The properties of the several fuels, their composition and their heating powers, will be demonstrated; and the relative advantages of various fuels and the different modes of applying heat will be discussed. Subsequently, the determination of temperature, the temperatures required for and obtained in various technical operations, and the circumstances affecting the combustion of fuels will be considered. Illuminating agents will form the subject of the latter part of the course, but it is important that students who may desire to specially devote their attention to this subject should attend the earlier part of the course. In the laboratory course the students will have the opportunity of experimentally studying the laws of combustion, the properties of fuels, and the method of determining their composition and heating power, and of instituting various experiments with fuels. Later on they will take up the subject of illuminating agents." Then in technical physics: "The physical laboratory will be open daily (Saturdays excepted) from 10 to 5 p.m., and on Monday and Wednesday evenings from 6.30 to 9.30 for students desiring individual practical instruction in technical physics." Then there are courses on electricity, magnetism, and other subjects, the particulars of which will be seen in the documents which I hand in. (*The documents were handed in. Vide Appendix.*) The scheme in its integrity undoubtedly offers attractions and inducements to comers of all kinds; and it contemplates even an extension of these inducements from time to time, as the liberality of corporations or of individuals may provide the means. But it must not be forgotten that the inducements are mainly opportunities to work, and not prizes in themselves. The substantial rewards of

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success in our courses are to be found not in the institutions themselves, but in the workshops and the manufactories for which they are a preparation. The main inducement to study and training here will be measured not by anything that we have to offer, but by the prospect which the industry of the country may hold out for the employment of well qualified men or women. There is therefore little or no fear that this scheme will in any way overstock the market in which the ordinary laws of supply and demand will operate as usual. There are, however, some peculiar circumstances relating to manufacturing industry, which render special efforts to promote the education of persons aspiring to the higher grades of employment desirable or even necessary. There is, in fact, at the present moment a great dearth of superior men in manufactories. This is partly due to the fact that the processes and appliances are so much more elaborate and refined than heretofore, that an amount of intelligence and knowledge formerly adequate is now inadequate. But it is also due to the increased subdivision of labour, which obliges the artizan desiring to rise to any degree of efficiency to devote his whole energy and attention to his special province, even to the exclusion of a knowledge of other branches of his trade. Or again, turning to the lower grades of employment, if any apology or plea be necessary, a thing which I do not admit, for encouraging young persons to follow handicraft trades, ample reason would, I think, be found in the growing tendency to prefer monotonous and unpromising employment at the desk, clerkship and the like, at a comparatively low salary, to work in the factory with all the advantages which energy and skill are there certain to command. I cannot, I confess, look with satisfaction or with hope upon a generation which reckons the ease and the respectable mediocrity of the one as superior to the rougher but almost illimitable possibilities of the other. And anything, therefore, which will raise the tone, or improve the prospects, or in any way add dignity to handcraft life, may be hailed as a measure which may influence the community far beyond the limits of the special industry for which it may have been devised. I venture to advert to another point; it has been suggested that, instead of setting up a new organization on so large a scale, the method of apprenticeship schools might have been adopted, as has already been done with good effect in France and, in some degree, in Austria. It has, however, been already explained that the Council of the City and Guilds Institute have not considered it their province to interfere with the existing system of apprenticeship. Nor, indeed, has the suggestion of these schools received sufficient general support in this country to justify the expenditure of any part of the present funds upon such an object. Another suggestion was also made, by way of alternative to part of the present scheme, namely, that the board schools might have been turned to account by introducing into their course an element of manual work. This, however, would not at all fulfil the objects of the Institute, as it would simply then form part of the general scheme of public elementary education, and could only at the most be a first step towards our main purpose, the training of the workman. There are a few additional remarks, supplied to me by Dr. Magnus, our secretary and director, who has lately returned from a tour of inspection on the continent, which, with the permission of the Commission, I will read. "With primary instruction this Institute has not attempted to interfere. In France a technical element is being introduced into primary schools, by giving instruction in the use of tools as employed in wood and iron work; but in this movement France is not being followed by Switzerland, Germany, or Italy. It might perhaps be desirable to introduce workshop instruction into some of our primary schools, not, however, for the sake of teaching a trade but only as a means of improving the manipulative skill of the pupils, and of arousing in them a taste for manual work, and possibly also of shortening the period of apprenticeship. In intermediate or higher elementary education the Institute has indirectly taken some part by establishing a working relationship between the Finsbury Technical College and the Middle Class School in Cowper Street. The teaching of science to the advanced pupils in this school has already been handed over to the professors of the college, and if the relationship at present existing could be made still closer, and the school could be brought under the direct control of the Institute, a technical school might be created in London which would serve as a model for the establishment of others throughout the kingdom. The Institute's Technical college at Finsbury, whilst representing the third grade of technical instruction, does not correspond, and is not intended to correspond, exactly with any foreign type. It is hoped that when completely equipped and in good working order it will represent the newest and most generally approved methods of technical instruction and will give the best teaching that can be obtained to young men during or prior to their apprenticeship, as well as to workmen and foremen. A department for the teaching of applied art, which is indispensable to a technical college, is still wanting at Finsbury. But it is satisfactory to know that, although adequate accommodation for the art classes which are about to be formed cannot be found in the new building constructed for science teaching only, arrangements are in progress for the addition to our present teaching staff of an art master, so that work may be commenced at the opening of the next session in such temporary premises as may be found available. In the Institute's scheme the highest grade of school will be represented by the Central Institution. Very great differences exist in the systems of higher instruction pursued in the *Ecole Centrale* of Paris, in the polytechnics of Germany, and in the superior institutions of Italy. The Germans themselves are not altogether satisfied with the instruction afforded in their own schools; and costly and magnificent as these buildings are I should not be disposed to hold them up for entire imitation in our own country. In the arrangements, however, that will be made later on for the curriculum of studies to be pursued at the Central Institution, the experience that has been gained during many years in the working of the French and German schools will undoubtedly prove serviceable; but it may be confidently expected that the Central Institution as a high school of technical science and applied art will be in many respects superior to any similar institution abroad. Indeed, the progress of this institution is watched with considerable interest by professors and others in Germany, Italy, and elsewhere, as an instructive experiment, which may not be without effect upon their own schools. At present, owing to the depression of trade and to the almost entire completion of the railway system of Germany, the polytechnics are less well attended than was the case some few years since; but notwithstanding this falling off in the number of students, fresh efforts are being constantly made to improve the efficiency of these institutions, and large sums of money are being expended in the erection and fitting of new laboratories. In Zurich it is proposed to erect new physical and chemical laboratories at a cost of between 50,000*l.* and 60,000*l.*, in addition to those already attached to the polytechnic. In Bonn plans have been prepared for a new physical laboratory in connexion with the University. In Hanover the Welfenschloss erected some years since as a palace for the king has only recently been converted at a very considerable cost into a polytechnic school. Of the value of this higher scientific training in the development of the industries of the country, the Germans themselves have no doubt. To it they ascribe the successes they have achieved as engineers and chemists; and it is noteworthy that the majority of those who have been engaged in great engineering works, such as the St. Gothard Tunnel, and in the erection of the splendid bridges that span the Rhine and the Moselle, have been trained in the polytechnic institutions, whilst to the higher chemical attainments of the Germans is certainly due the marked success they have achieved in the manufacture of colouring matters, an industry which has assumed large proportions in Germany and Switzerland. In fact, the discoveries which have led to this trade have been mostly made in Germany, and are to a great extent the result of the large number of well-furnished laboratories, and of the general diffusion of advanced chemical knowledge in that country. In the Central Institution at South Kensington it may not be possible to furnish engineering and chemical laboratories on anything like the same scale as those which are found in connexion with the polytechnics and universities abroad, but the arrangements for the teaching of practical physics, and especially the various applications of electricity to industrial purposes may be and it is to be hoped will be superior to those found in any of the foreign physical laboratories which I have seen. Nothing that bears comparison with our system of Government examination in science nor with the Institute's examinations in technology is found anywhere on the continent. At the same time the opportunities afforded to apprentices and workmen to obtain supplementary evening instruction are very great, and in some cases, particularly in the schools supported by special societies, this instruction is more systematically developed than in England. Our examinations in technology, originally intended to test a candidate's knowledge of the technology of certain trades, have become, under the direction of the Institute, the means of stimulating the establishment of technical classes for the instruction of artizans and others, not only in the technology but also in the principles of science in their application to the industry in which they are engaged, and it is the aim and tendency of these examinations to develop more and more in this direction, and to give an impulse to the establishment in different parts of the kingdom of what may be properly called technical schools, *i.e.*, of schools providing a systematic and progressive course of instruction adapted to various industrial occupations. The interest awakened by the action of the City and Guilds of London in promoting technical instruction is not confined to this country. Experts have been sent over to England from various parts of the continent to inquire into our scheme, and several accounts of the Institute's work have appeared in foreign journals. Doctor Exner, the Director of the Technological Museum at Vienna, and member of the Austrian Parliament, read a paper before the South Austrian Trade Society, dealing exhaustively with our technological examinations, which, in a somewhat modified form, he is not without hopes of being able to introduce into Austria. Dr. Barkhausen, Professor of Mechanical Engineering at the Hanover Polytechnic, has also written a series of articles in the 'Deutsche Bauzeitung' on the general work of the Institute. From America, from Italy and Germany, and other parts of the continent, inquiries are being continually received with respect to the progress of the Institute's scheme; and it is generally anticipated by all those abroad who take an interest in English education, and who know the resources which the City and Guilds of London have at their command, that the development of technical education, in their hands, will materially help in maintaining the industrial success of this country."

1732. That is what you wish to put before us?—That is what I desire to place before the Commission.

1733. I suppose you have seen the evidence given by the other witnesses who came on behalf of the Institute?—I have.

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1734. Do you agree with the general purport of it?—I do.

1735. (*Sir S. Waterlow.*) I think you are, as President of the Royal Society, an *ex officio* member of the Guilds Technical Institute?—I am.

1736. And have the right to be present at all meetings of committees, and of the Council having control of the Central Institution?—That is the case.

1737. And I believe you have for a long time past attended very regularly the meetings?—I have attended most of the meetings.

1738. I think you are a large employer of labour yourself?—I am.

1739. And for many years have been in constant contact with skilled mechanics?—I have.

1740. From your experience as an employer of labour, and from your knowledge of the wants and the aspirations of skilled mechanics, are you of opinion that the plan which the City of London and Guilds Technical Institute are endeavouring to carry out is one calculated to supply that want, and to materially assist workmen to obtain better knowledge of all parts of the trades with which they are connected?—I am certainly of that opinion; the more I have seen of the work of the Institute, the more impressed I have been with the belief that it is well calculated for the purposes for which it is designed.

1741. For many years you have been a liveryman of one of the city companies, have you not?—Of the Stationers' Company.

1742. You have a general idea, have you not, of the resources of the 12 large companies and of many of the other principal companies?—I have in a general way; but I am not specially informed of the details.

1743. And are you of opinion that the appropriation of the money which they have devoted, and any larger funds which they might devote, to the development of technical education, not in London only, but in the provinces, through their central institution is a wise and satisfactory appropriation of any funds they have to spare, or any increment they may hereafter have to spare?—I am quite of that opinion.

1744. Do you think, having regard to the character of their charters and to the fact that almost all of them were founded for the purpose of assisting trade operations, and remembering the extent to which the members of the companies are no longer members of the crafts to which their names are attached, that this method of supporting technical education is almost a *cy-près* appropriation of their funds?—It seems to me a perfectly legitimate appropriation of their funds, and well calculated to promote the success of the industries with which they are connected.

1745. Are you aware that the annual contributions which the various companies make are made during the pleasure of those companies?—Yes, I am aware of that.

1746. Do you think it would be desirable that in some way, with the consent of the companies, the contributions to technical education should be rendered more permanent?—As a member of the Institute I should be exceedingly glad to see that done.

1747. And what would you say as a member of a livery company and as a liveryman?—My sympathies would be entirely in the same direction.

1748. (*Mr. James.*) The only question I would venture to ask is whether you think that the general interests of science are most promoted by grants of money, either from the State or public bodies of this character, or by individual effort; in other words, do you think—speaking from your own experience—that scientific discovery or knowledge of these special technical subjects is most promoted by individuals relying upon their own exertions or by the expenditure of large sums of money?—That is a point on which a considerable difference of opinion exists. Nor perhaps can it be answered in the same way for all branches of scientific research; in my opinion

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some investigations may be safely left to individual effort; others, from their magnitude, or from the length of time during which the researches must be continued, require external support. But this is a question of science proper, and the remarks which I have just made have no necessary application to the case of the technical instruction here contemplated.

1749. (*Mr. Alderman Cotton.*) Do you not think that technical education for the day is, in some measure, an experiment?—It is undoubtedly an experiment so far as this country is concerned. It was not until a few years ago that foreign competition showed us that our artizans were not the best in the world, and even then the idea of technical instruction as one means of remedy did not immediately present itself to the minds of employers or workmen. On comparing other countries with our own we found that we differed from them in this element. The experiment then which we are trying is not whether technical instruction can be grafted on industrial life, for this has been tried, and successfully tried elsewhere; but whether the same method which has succeeded elsewhere is applicable here.

1750. Do you not think that sufficiently large sums of money have been put into it, it being an experiment, for the time being, until it has more thoroughly taken root?—I cannot say that I agree with that view, because the undertaking has already so far thriven that the Institute has found great difficulty in meeting the many demands (and in the opinion of the Council legitimate demands) made upon it, both in the metropolis and in other parts of the country. The experiment could hardly be said to have a fair trial if its operations were restricted to the present amount. The grants to the Institute are, as said before, still at the pleasure of the companies.

1751. Have not the means been very much crippled by the building of the museum or college at South Kensington; would there not have been ample means for trying all proper experiments if that building had not been commenced at South Kensington?—The Institute would certainly have had larger means at its disposal for other parts of its scheme if the Central College had not been begun; but in the opinion of those charged with the undertaking that college forms an integral and important element, and without it the scheme of instruction would have been very incomplete.

1752. But you do not consider the building at South Kensington to be adapted for the purpose, do you?—I quite hope to find that it will be so.

1753. You cannot reasonably expect that that building at South Kensington, away from the homes of those for whom it is designed, will be of use to the artizan and labouring classes, can you?—I think it has been already explained that it was not expected that the artizans employed in workshops would attend there. The Central Institution at South Kensington is intended for managers of works, engineers, industrial chemists, and others who have a desire for superior education and instruction in the branches of their industry; it is not contemplated that the same class of workmen who attend the Finsbury College and other like institutions would attend South Kensington Museum, and therefore the distance from the centres of industry is not expected prejudicially to affect the attendance of students at the Central Institution.

1754. What you have just quoted is not from the original prospectus of South Kensington, but rather a revised or new idea as to the application of the college at South Kensington, is it not?—It states, as nearly as I remember, the present views of the Council on the subject; and I am not aware that it is in any way at variance with the original intention.

1755. Do you not think that the present institutions now in existence, such as the South Kensington Museum (where all those things are taught which you are now going to teach at South Kensington) and the King's College, and similar institutions all round and about the metropolis, would have answered the purpose without your going to the extravagance of erecting (at a cost of, I think, some 80,000*l.* or 90,000*l.*) this building at South Kensington?—The purposes of the Normal School of Science at South Kensington is different from the purpose for which this Central Institution is intended,—one being for purely scientific education, while the other has a more direct bearing upon trades and the processes of manufacture.

1756. But the processes of manufacture are promoted by these very schools; I suppose the analytical chemist will be really the most valuable student you will get, because his knowledge will improve the profits of the manufacture by new extracts, new colours, and new designs, will it not?—There is no doubt that an expert chemist will be very valuable in a large chemical factory, but, short of the scientific member of such a staff, there are overseers and foremen of different grades whose skill and intelligence would be greatly improved by such instruction as we hope to give at the Central Institution, and which would be different from that which they could obtain at the Normal School of Science at South Kensington.

1757. If you had not commenced this building at South Kensington, would you do so now?—That is a question I cannot answer without more consideration; but I see no reason for thinking that we should not.

1758. You would rather have the money in hand that the cost of that building will put you to, for useful purposes, than have it in a building and have to pay the enormous staff of professors and others that you will be obliged to have there, would you not?—I am not at all prepared to admit that.

1759. You doubt its usefulness at South Kensington, do you not?—No, I do not at all.

1760. What class of engineers do you think of educating there?—We shall endeavour to adapt our courses, as far as possible, to the requirements of those who come; but, in general terms, we contemplate teaching the principles of applied mechanics, and the various branches of electric science which form a large portion of the industrial activity of the present time.

1761. All those things are now taught at South Kensington, the applied science and things of that kind, are they not?—Not the construction, nor indeed all the use of the appliances which are employed in these processes.

1762. Do you contemplate having workshops at South Kensington?—Workshops for teaching the principles and mode of construction of things.

1763. The same professors as are now at South Kensington would pass over to your college, would they not?—I do not see how this could be, as the whole time of the professors and teachers at the Central Institute would be occupied in the work of the Institute.

1764. Would not many of the same staff do so?—I imagine that their time is already fully occupied where they are.

1765. Professor Huxley, for instance, comes over to you, does he not, and he is very busy at South Kensington?—He is not in any way connected with the City and Guilds Institute.

1766. Is he not to be one of your professors; I thought the gentlemen who were here last week mentioned his name in connexion with it?—He is not.

1767. How many students do you calculate you can accommodate at South Kensington?—The number was calculated when the plans were drawn, but I do not recollect it.

1768. Of course the object of technical education is to teach what you would call the artizan or lower class in particular, is it not?—We propose to teach the artizan, who is engaged in the ordinary parts of manufacture at colleges, of which that at Finsbury is a type; and at South Kensington to educate the higher grades for overseers, &c., as well as for training teachers.

1769. That brings me back to a question that you did not quite answer, and that will be my last one.

Mr. W. Spottiswoode.

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Are there not sufficient schools already in existence to teach the higher grades, that is to say, are there not already sufficient schools and colleges in existence without creating a new one to teach what you contemplate teaching at South Kensington?—I think not.

1770. For the education of professors and teachers, and men of that stamp?—Not for teaching the technical subjects which we contemplate.

1771. May I ask you what you mean by the word "technical." I asked one of the gentlemen here the other day (it is very uncertain in its ramifications, I think). How would you yourself describe the word "technical"?—Definitions, unless very carefully considered, are always open to criticism; but I will try to illustrate my view of the question by an example. The student at the Normal School of Science has to learn the use of an instrument, and so much of its construction as will enable him to adjust it for his various experiments, and to know when it is in order or out of order. The artizan ought to be able to construct the instrument, to repair it if out of order, and to know when it is right. What we hope to add to the knowledge of the artizan is this: The ordinary artizan can construct the instrument from a given pattern, or from working drawings; but without these he can do little. Take the case of a man of science, who has an instrument adapted to electric currents of small strength or of low electro-motive force, and requires one for currents of great strength or of high electro-motive force, the ordinary workshop-instructed artizan is quite at a loss as to the proportions in which the instrument should be altered for the new circumstances. We hope to produce foremen and overseers with sufficient knowledge of the principles of science, as well as of construction, to enable them to form at least a fair estimate of the necessary differences in construction between the instruments to which they have been accustomed and new form required.

1772. (*Sir S. Waterlow.*) Will not the Central Institute bear the same relation to the technical schools in Finsbury and other places as a higher school does to an elementary school, and would not the system of technical education be incomplete if you had not the two grades of schools?—I am of that opinion.

Deputation from King's College.

The following Gentlemen attended as a Deputation from King's College, London:—

The Principal (The Reverend Canon Barry, D.D.).

The Treasurer (Mr. C. P. Serocold).

The Secretary (Mr. J. W. Cunningham), and Professors Adams, F.R.S., Shelley, M.I.C.E., and Wiltshire, M.A.

1773. (*Chairman to the Reverend Canon Barry.*) I need not ask you whether you are the Principal of King's College. We understand that your object in coming here is to put forward the claim of King's College to some share in the funds which are now in possession of the city companies; is that so?—Yes: in the event (that is) of their being devoted to the work of education in any form.

1774. Probably it would be more convenient that you should make a statement in your own way?—Perhaps I may explain to the Commission that, in order to economise their time, we have thought it better to divide the work of the deputation. It is to be my duty to make a general statement on the work and character of the College which we represent. Our treasurer, Mr. Serocold, and our secretary, Mr. Cunningham, will lay before the Commission the financial aspects of our requirements. Professor Shelley, who is the head of our engineering department, will refer more particularly to the difficulties of technical education due to the want of funds. Professor Adams will take the same course with regard to physical science; and Professor Wiltshire will bring before the Commission the work of the evening classes. I will direct my evidence to three points. (I.) The Commission has already had before it the memorial which states generally our constitution and work; but it may be well briefly to summarise this statement. King's College, as some members of the Commission will be aware, is now 50 years old, about the same age as University College; and like University College, it developed, first, one School of Liberal education which we commonly call our General Department, to which the school for boys is a junior appendage, and one great Technical school, the Medical Department. To these by degrees three other technical schools have been added—one which we call the Department of Applied Science, which trains chiefly for engineering and cognate professions including metallurgy; another the theological school, and the third a school of practical art and practical fine art, which has been recently founded with the assistance of the City and Guilds Institute, who grant us (during pleasure) the sum of 200*l.* a year towards that department of our work. Besides these we have a large organisation of Evening Classes carrying on at exceedingly low fees almost the whole of the work of the college in the evening for the benefit of those who are engaged in professions during the day—a very interesting but I am sorry to say wholly unremunerative work; and lastly we are endeavouring with some success to extend our work from the higher education of men to the higher education of women, and we have made some considerable progress towards the opening of that new department. This is our work, and in these various departments I suppose, that speaking roughly, we educate in different degrees about 2,000 persons, either students or boys in the school. In those respects our College is not unlike University College, and, as I know that the Commission has had before it the claims of University College, it will be perhaps convenient for me to refer to the points in which King's College differs from University College rather than to those in which it agrees with it. The first point in which we differ is in the matter of our large system of Evening Classes. University College attempted that work some years ago, but for some reason relinquished it; and the large system of evening classes, which are carried on at low fees for the benefit of those engaged during the day, is therefore relatively peculiar to King's College. Another peculiarity of King's College is the foundation of the theological school, which by the nature of the case cannot possibly exist at University College. Those are the two chief points of distinction in the constitution of the two colleges. There is a third difference in system, that is that at King's College we rather incline to courses of education, although we admit those who take up only a few subjects, who are called "Occasional students," whereas at University College I believe that most students take up whatever subjects they please, and that comparatively few (of course, with the exception of the great medical school) enter upon systematic courses. In most other respects the constitution and work of the colleges are very largely the same. There is, however, as the Commission will, of course, be aware, one most important difference. In one point our system of instruction is more extensive than that of University College, because in all our departments we introduce the element of religious knowledge. I need hardly tell the Commission that our college is connected with the Church of England, and that, in accordance with the principles of the Church, the study of religious knowledge is mainly Scriptural. We hold that, to say the least, religious knowledge is the most important branch of knowledge, and the most important instrument of education. I believe that in this respect we are very distinctly akin to the old constitution of the city livery com-

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panies. Over and above their directly technical work, they have always recognised, not merely education, but the promotion of religious worship and knowledge and religious education. Therefore we may claim for our college a peculiar similarity to the institutions with which the Commission is mainly concerned. It should, however, be understood—I do not know whether it is understood by the Commission—that there is at King's College no religious test of any sort or kind for the admission of students. We have there students who are not churchmen, some students who are not Christians. Not only is there no religious test of any sort or kind, but there is no disability which depends upon the presence or absence of religious profession. It should also be understood that in all the departments religious worship and knowledge are offered to all, but are compulsory upon none. With regard to " Occasional students" the question does not even occur. With regard to the matriculated students, under the discretion given me by the Council, a kind of Conscience clause is most freely worked. As a matter of fact I have found it claimed mainly by three classes of students—by Roman Catholic, a few (comparatively few) Jews, and some Eastern students, who are neither Jews nor Christians. As a rule, those students who belong to various Protestant Nonconformist bodies rarely or never decline the religious instruction, which it is my privilege to give. In that respect then it should be understood that King's College opens its doors to all. The Commission are no doubt aware that with regard to the teachers of the college there is this condition, that, with one or two exceptions, they must be " members of the Church of England," whatever that phrase may legally imply. We accept simply a man's own statement that he complies with that condition ; and in relation to this regulation, I may be allowed to remind the Commission that the roll of our teachers (I will take the science department alone) in the past shows that our choice is sufficiently wide. We can chronicle in science the names of Sir Charles Lyell, Professors Phillips, Ansted, Wheatstone, Daniell, Miller, Edward Forbes, and Rymer Jones, to say nothing of those who are at present working in the college. In the department of medical science such names as Fergusson, Watson, Bowman, Todd, Ferrier, Rutherford, Garrod, Lister will show that our sphere of choice is large enough to secure teachers of the very highest order. This then is the general character of our work, for which we venture to claim not only that it is a work of general public usefulness, but also that it is akin to some of the objects which are contemplated in the constitution of the City Companies. (II.) The next question is for what purpose do we find, in the course of that work, that endowment is required. Our gross income is large, amounting to between 30,000*l.* and 40,000*l.* a year. But almost the whole of this is, I am sorry to say, spent every year ; and after an experience of 14 years I have come to the conclusion that the chief uses of endowment to us would be the following.—First, that we should be able to teach things which we ought to teach, and which cannot possibly pay by the fees of the students. This will be especially the case with the higher branches of all education, which comparatively few attend, and will be most of all the case with the exceedingly costly work of experimental and mechanical science. If I have an educational development to propose to our Council, I am constantly met by the difficulty that it cannot possibly pay, and therefore cannot possibly be carried out with our limited means. The second object, which I should have in view is (as our memorial states) a considerable lowering of the fees which at present we are obliged to charge for education, in order to open our educational work more widely. We have to live upon our fees, and (as at University College) our fees are not inconsiderable. Allowing for the expenses of living in London I should think to come to one of the great London Colleges must cost a young man quite as much (if not more) as to go to the Universities of Oxford and Cambridge, unless he should there fall into more expensive habits of living. I should be very glad to be able to lower the fees very considerably. In some departments perhaps they might be lowered by as much as a third ; in others possibly more. The third need of endowment lies in this—that the whole of the staff of King's College (I know not how it may be at University College), our teachers are underpaid, in comparison with the payments that are made at ordinary public schools, at the old colleges, or at the new colleges which are being founded in the provinces. I may, perhaps, without impropriety take my own case as an instance. I came to King's College from a public school, not one of the wealthy sort ; and in so doing I had to sacrifice very nearly half my income in order to accept a post which certainly ought to be considered a more important one. My case is the case of all my colleagues. My only wonder is that we are able to secure such a staff as we have at such very low remuneration. Those are the three main objects I have in view. I should be very glad also to found scholarships and exhibitions, but my experience is that for education it is far more important to lower fees than to have a large number of exhibitions. Both objects are, no doubt, important, but the lowering of fees would of the two be far more useful for the extension of education. The objects then of endowment are (if I may venture to recapitulate) to teach what ought to be taught and yet will not commercially pay ; to lower fees, and therefore to extend the scope of our education ; to maintain our teachers better ; and to provide still further for poor students by exhibitions, although (as a matter of personal opinion) I lay less stress upon that, than I believe is laid by many authorities upon this subject. (III.) The only other question which I think we are bound to answer is why we venture to present ourselves to this Commission. Our ground is simply this. We suppose it to be not at least unlikely that as the city companies have always in some degree recognised the promotion of education as a portion of the duty that they were desirous to do, the effect of the Commission may be to extend this application of the funds of the city companies—in what form we do not of course presume to inquire. We find that the city companies have always recognised not merely technical work, but both technical and liberal education. We find that they have been to some degree able to recognise the work of King's College—by the grant to which I have alluded, and by various other exceedingly liberal grants from separate Companies—and we believe that there are many city companies, which (if they are left free to dispose in educational work of any funds committed to them) may probably not be unfavourable to the principles and work of King's College, and may prefer to assist existing institutions, rather than to continue or to push further than has at present been done the foundation of new ones. It is for these reasons that we venture to present ourselves to the Commission, and to this statement I will only add the expression of my readiness to answer any question that any member may please to put to me.

1775. (*To Mr. Serocold.*) I will now call upon you to explain the financial position of the college ?—The part of this subject which is committed to me is one of figures only, and is necessarily rather dull. I will try to make it as short as I can, and I think it will show you that the history of King's College is one of continued struggle against financial difficulties from the very beginning, and they have been not unsuccessfully contended with, I think. The college was originally founded, as perhaps the Commission knows, in 1829. The grant from the Crown was at no rent, but subject to the condition that education should be carried on on the site and in accordance with the principles of the Church of England. If we failed to carry out those conditions I apprehend that the building and site would revert to the Crown. Originally the college was, no doubt, by some people looked upon as a commercial speculation, and I find on going back into the accounts that the capital raised for the building may be

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divided into two heads—shares and donations. The sum of 100,000*l.* was raised in shares, and a sum of 46,800*l.* was given in donations. I ought perhaps just to mention that though the shares and donations were separated in the accounts it was expressly provided that the shareholders should have no advantage over the college as regarded their portion of the capital fund. If any dividend should be declared, it was to be declared equally on the donations and on the shares, and the dividend on the donations was to remain the property of the college. However no dividend has ever been declared, and therefore that question does not arise. I then find that up to 1854, which is a period of 25 years, you may say the college not only spent the whole of this sum in its buildings, but got into debt to the extent of 19,000*l.* The cash for that debt was partly owing to private persons who advanced it on interest, and partly to endowment funds which had not been invested. Perhaps here I ought to mention that there was no breach of trust in that, as there was no condition that they should be invested, indeed permission in some cases was given to use them. The Council felt in 1854 that this burden of debt was intolerable, and that the college was not in a proper state as long as it existed; and they took a step which I think will prove to you the straits to which we have been driven, and you can imagine how painful it was. The Council said we will have an annual reduction of 500*l.* a year off this debt until it is wiped out, and it must come out of profit and loss. If profit and loss will provide for it well and good; if profit and loss will not provide for it we shall be under the painful necessity of taxing the incomes of the staff to make up the sum. I find that between the years 1854 and 1873 we positively took out of the pockets of the staff a sum of 5,000*l.* deducted in the shape of a *pro rata* income tax as the occasions arose. After 1873 we discontinued that system of a compulsory 500*l.* a year, but we still have a sinking fund for the debt of the college which the college staff are liable to make good, though not quite in the same form. Since that time the college has been obliged to do very many large and costly works, and I do not trouble the Commission with the numberless small things that were done, nor with the annual repairs for the purpose of keeping up the building; but I take a few items of large import. I find that we had a new anatomical museum to build, costing 2,800*l.* We made large alterations in the physical department, costing 1,500*l.*; then we had a great calamity in the dining hall falling in one day, which we always thought was owing to the Metropolitan Railway disturbing the foundations. That cost us 1,700*l.* We then built a new physiological laboratory, costing 3,000*l.* We added at the top of the building new drawing rooms, costing 3,000*l.*; and our last great outlay was the new floor of class-rooms at the top of the college, costing 7,500*l.* That makes a total of 19,500*l.*, which we have spent. We have reduced this debt by various sums out of profit and loss, and I am happy to say that we paid, in various ways, 9,169*l.* off that debt; still there remained a heavy debt to the bankers owing, as well as the very disagreeable question of uninvested endowment funds, and in 1876 a great effort was made by raising a special donation fund (which your Lordship may remember as you were kind enough to subscribe to it), and the total amount received from that source was 11,700*l.* This enabled us to invest the whole of our endowment funds, and we now have standing in very good securities the sum of 38,000*l.*, of which I will give more particulars in a minute. In addition to the endowment we ought to acknowledge that we have had benefactions either by legacy or gift from different people, amounting in all to about 3,500*l.* The result of that is that the present debt of the college may be called 12,000*l.* I will not trouble the Commission with going over the exhibitions we have had from city companies, unless they wish it; but the Clothworkers' Company have been very generous to us, so have the Salters' Company, and the City and Guilds Institute, and we have small contributions of a similar nature from Sir Charles Freake, who gives us 50*l.* every year. Then if I take the profit and loss account I come to this that the principle upon which the college is worked is that one fourth of the fees should go to the working expenses of the college, and that three fourths should go to the professors and masters. If I take last year (I do not think it is an unusual one) as an instance, of 34,775*l.* for students' fees we paid to our professors 26,833*l.* It would not be an exact three fourths, because there are certain things which make it vary, but it is not far out. I find a difference therefore of 7,942*l.* for the college share. Our expenses were 11,360*l.* Now we could not possibly have carried on at all if we had not had our outside profits. They are legitimate enough, I suppose, but they are outside profits. They consist of the rent of our students' rooms; we have a certain number of students to whom we charge rent; and a profit is also made upon our books and upon our dining hall. Those items made up 3,418*l.*, and without them it will be evident that we could not have paid our way at all last year. Then there are one or two small things I may mention. The Principal alluded to the very small pay of our professors, but with some delicacy he did not put his own case as strongly as I should do. It will hardly want remark, when I say that we are not able to guarantee our Principal the clear sum of 1,000*l.* a year. I may mention also that on the average of the last three years our professor of mathematics has not received 450*l.* a year, while our professor of classics has not received 300*l.* a year. I think those figures speak for themselves. I would then mention in addition that the endowment fund amounts to 38,370*l.*, and I have divided that into three items to show to the Commission how it goes. The income of 4,000*l.* is devoted entirely to prizes in medals and books, of course of no pecuniary value to the students; the sum of 18,225*l.* is devoted to scholarships and exhibitions, while we only have three endowed professorships (one I need not count, as it is very small), the Chinese professorship, that is 2,101*l.*, the economic science is 1,250*l.*, and the Gilbert lectureship, 1,250*l.* In addition to that we had a generous legacy from Mr. Sambrook of 10,000*l.*, which was left to be appropriated to exhibitions and scholarships at the discretion of the college. I have the particulars of that if the Commission would wish to have it. I think I have really nothing more to say, but I put the record of the figures before you.

1776. May I ask in explanation of what you have said, whether the buildings which you occupy are held rent free?—Yes, entirely.

1777. They are, in fact, a grant from the Crown? —The land is a grant from the Crown. We built them and paid for them, but only subject to the condition I mentioned; and if we gave up teaching I am afraid the Crown would take them.

1778. (*Sir S. Waterlow.*) I think two professorships have been omitted. I wish to ask whether it is not a fact that a professorhip of 200*l.* a year for fine arts and one for metallurgy of 200*l.* a year were granted by the City and Guilds Institute?—They are not professorships in that sense. They are gifts at will. They have given us 400*l.* a year, and I hope they will continue to do so, but they are not endowed professorships.

1779. It is money given for that particular chair? —Yes. I mentioned them incidentally as I passed on, but the question you put to me relates to endowed professorships only, and I say that we have only three endowed professorships.

1780. (*Chairman to Mr. Cunningham.*) The Commission will be glad to hear any remarks that you may desire to add?—I only wish to say a few words to show you how extremely badly our staff are paid. That is one point to which I wish to refer. We have six departments at work. The staff of our general literature department consists at the present moment of 19 men. Last year the whole of those 19 men only received 2,016*l.* as their salaries. In our applied

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science department we had last year 15 men at work, and they received 1,990*l.* divided amongst them. In our theological department there were 14 men at work, and they received 1,926*l.* Our medical school consisted of 24 members of the staff, and they received 3,461*l.* for the whole of their work at King's College. Our evening class staff consists of 35 men, and they received for their whole remuneration 1,117*l.*, and our school staff consisted of 36 men, and they received very nearly 12,000*l.* for their work. In this number of our staff some are counted twice over, but there are 109 separate men who are receiving pay from the college at the present time. Then I should also like to say that I do not think there is the smallest hope of our fees being at all added to. They are now at the present time quite as high as we can by any possibility make them, and complaints are made continually every day that the fees are too high. The students in the General Literature department pay 42*l.* a year, in the applied science department the same in the theological department 37*l.* 16*s.* Our medical students pay 30*l.* a year, the school pay 24*l.* a year, and the evening classes pay for the year about 2*l.* 12*s.* 6*d.* for each class. You may think that a very small sum, but it is nearly six times as large as other institutions of the same kind, so that I am afraid our fees could not by any possibility be any larger. Then as to the individual men and individual work that we do, we have four men engaged at King's College in the teaching of mathematics. They work during the week 15 hours each, that is 60 hours in all, and the whole of those four men for their work for the year receive under 1,000*l.* We have two classical men; they have 30 hours a week work in classics, and they get 400*l.* a year between them. Our English professor has four hours' work in the week and he has under 150*l.* Our History professor has four hours' work in the week and he gets about 135*l.* Our French professor has four hours' work in the week and he gets 120*l.* Our German professor has four hours' work in the week and he gets 108*l.* Our geological professors have four hours' work in the week and they get 147*l.* In Professor Adams' departments—there are two engaged in teaching mechanics and physics—they have 56 hours' work in the week with about 650*l.* a year between them. I might go through the whole list in the same way, showing how extremely badly our men are paid, and what urgent need we have for help.

1781. (*To Prof. Adams.*) Will you be kind enough to state what I believe you have come to prove?—I have to speak particularly with regard to the general and the scientific education given in the college. King's College is one of the two London colleges which supply a university education, and claims the support of the city companies, both on the ground of the general education as well as the practical or technical education given in the college. At King's College we aim at carrying the education of students in special branches of study to the highest pitch to which it can be carried, and we encourage original investigation in scientific branches. In order to do that special work in the more advanced branches of science it is necessary that we should have assistance, and, in fact, we want, especially in these days of keen competition, to be liberally supplied with funds. From the account which has already been given it will be seen the staff is very much overworked. The time devoted to actual teaching in the college is very great, and as science advances this is more and more felt, so that the college must fall behind other institutions which have the means of progress if we cannot be supplied with the necessary funds. Also the professors are in want of further assistants, so as to give them time for original research, so that in the progress of science our English colleges may not fall behind the German and other universities. Students come to us to obtain instruction in chemistry and in physics with a view to future service under the Government, and in many cases men who are already in active service abroad have obtained leave to come home, and spend their time in coming to our laboratories to enable them to do their work for the Government more efficiently; many men of that class have come to us who have been in India in the Indian Telegraph Service. Then again, some of our students have obtained appointments in the Indian Telegraph Service, and in the Public Works Department in India, after leaving us. During the last two years, before the foundation of Cooper's Hill College, our students had 10 out of 35 appointments which were filled up in the Indian Public Works Department. The principle of endowment has been recognised by the Government. Cooper's Hill College was endowed and established with the view of educating all students preparing to enter the Public Works Department, and in the last two or three years its work has been extended to telegraphy as well. In addition to this, the Cooper's Hill College, which is able to offer appointments to its best students, directly competes with our engineering department by becoming an engineering school for the education of students for the engineering profession at home. Then again, the Government has improved the education of the Royal School of Mines, and under the name of the Normal School of Science has set up a scientific school which directly competes with us, so that the principle of endowing the teaching of science has been fully admitted and acted upon by the Government, and, indeed, colleges have been established which directly compete with our unendowed colleges. We ask that we may be placed in the same position as these colleges with regard to endowment, in fact, that the competition may be a fair one. The Royal Commission on Scientific Instruction and the Advancement of Science, after examining into our system very completely, reported in 1874 that the two London colleges and Owen's College, Manchester, had established their claim to endowment from the State, and recommended that annual grants in aid of the income of the colleges should be appropriated to definite purposes, namely, first, the augmentation of the stipends of the professorships; second, the payment to demonstrators and assistants; and third, the payment in aid of laboratories and establishment expenses. We include in our scientific teaching at King's College, not only the theoretical principles of science, but also their application; and, wherever it is possible, as in subjects like chemistry, physics, and physiology, we carry that practical education to as great an extent as possible. The endowment of Owen's College, or of the Victoria University, not with money but with the power of granting degrees, has stamped the education given by that college, and, by implication, the education given by our London colleges as university education, which deserves recognition. We have had among our laboratory students at King's College men who have taken high degrees at the universities of Oxford and Cambridge. Some who are preparing to be teachers in schools come to us, after taking their degrees at the old universities, to get a practical knowledge of subjects, such as physics, or chemistry, or physiology; also teachers from schools frequently come to us to be instructed. Several of the leading engineers and manufacturers recognise the value of our practical teaching and are glad to get our students into their works. In the last few years seven or eight of our students have entered Messrs. Easton and Anderson's works, and about the same number have entered the electric works of Messrs. Siemens, and at the present time there are at least six of our students who are engaged in Messrs. Siemens' works; among them, one of the chief electricians in the cable testing department, and one of their chief engineers on board the cable ship "Faraday," and another who had the entire charge of Messrs. Siemens' exhibit at the Crystal Palace electrical exhibition. The subjects which are taught at the City and Guilds of London Institute, viz.: theoretical and applied chemistry, theoretical and applied physics, and the first principles of mechanical engineering, have for many years been taught

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at King's College, and can be as fully taught there as may be required, provided funds are supplied for developing the work as the demand for it or the progress of science requires. King's College has stood well to the front in supplying practical laboratories in chemistry, in physics, in photography, in metallurgy, and in mechanical engineering. The King's College physical laboratory was founded in the year 1868, when as yet there was no physical laboratory at either of the universities of Oxford or Cambridge, or at Owen's College, Manchester, and before the year 1870 there were no physical laboratories for students in England, except at our two London colleges. Some 10 or 12 years ago, the German universities were beginning to found physical laboratories, and now they have the magnificent physical laboratories which have mostly been built within the last five years; but they had not begun to establish physical laboratories at the time that ours was established. Now so much money has been spent on the teaching of science in Germany that, both in chemistry and in physics, and also in physiology, the German universities must take the lead, unless our colleges in England are supported by aid from without, and we are anxious that, as regards efficiency, our London colleges should be put on something like the same footing as the German universities. Great advantages result from carrying on the study of science side by side with other studies, and experience has shown that technical or practical science cannot be taught as effectively apart from a general education in the branches of pure science on which it depends. Where such teaching has been tried the system has not succeeded. At King's College we sketch out the course of education which we regard as the best for those who are to be engineers or manufacturers, or who are to be engaged in technical pursuits; at the same time we admit for part of the course, or for separate subjects, students who do not wish to take our full course in the applied science department. We believe that with a good knowledge of the theoretical work, and of such practical work as we can give him, a man will afterwards pick up his practical knowledge much more rapidly in the manufactory or in workshops. When the theoretical and practical instruction are carried on in the same college they act and re-act on one another; thus, if a student is making a model of a roof when I am lecturing on the mechanical principles of frameworks, or if he is visiting workshops and attending Professor Shelley's lectures on the details of machinery, and at the same time is attending my lectures on practical mechanics, he will take far more interest in and get a better knowledge of the subject of my lectures, because he sees more clearly the direct relation which they have to his practical work. There is now an increasing demand for scientific education of the highest kind, and colleges which can give it should be placed in a position so as to do it efficiently. In addition to endowments for the general and practical teaching, there is also endowment required at King's College for keeping up our museums and libraries. It is impossible for a college living entirely upon the fees of its students to keep its museums in a proper state of efficiency without a regular fund for the purpose. Our museum of philosophical apparatus contains a very interesting historical collection, the nucleus of which, being the collection of apparatus which belonged to King George III., was presented to the college by Her Majesty the Queen. From time to time the Council have granted sums of money to prevent the museum from falling entirely out of date, and Sir Charles Wheatstone bequeathed his extensive collection to the college, and gave us a legacy of 500*l.*, which has been spent in the purchase of apparatus. In the experimental sciences, such as chemistry, physics, and physiology, it is quite impossible that the more advanced work, consisting principally of laboratory practice, can be made remunerative, for the classes get smaller and smaller as they are more advanced, and the individual teaching in the laboratory takes the time and energy of the Professor. It is impracticable to raise the fees, for that would exclude the students. Hence, in laboratories especially, there should be endowment for the Professors and for the teaching staff, as well as for the equipment and keeping up of the laboratories. The scale of endowment should not be inferior to that already existing in the City and Guilds of London Institute, or that in the new Technical University to be established at South Kensington. At the present time in connexion with my own subject we require appliances for the practical teaching of students who intend to be electrical engineers, and we hope shortly to be in a position to say to a student, we can teach you not only the principles of electricity, but the methods of electrical measurement as applied to Dynamo machines. Scarcely any branch of mechanical engineering can now be said to be independent of electricity, and this is one of the directions in which we hope to extend our work.

1782. (*To Prof. Shelley.*) We understand that you desire to speak with reference to technical science, and we shall be glad to hear any remarks you have to make?—In order to save the time of the Commission I have drawn up a statement, and I propose to read that as being the shortest way of dealing with my evidence:—" I, the Professor of " Manufacturing Art and Machinery in the Depart- " ment of Engineering and Applied Science in King's " College, London, having conferred with my col- " leagues, Professors Kerr, Robinson, Huntington, " Glenny, and Mr. Walker, who are connected with " more particularly the province of practical technical " engineering, under the heads of (1) machinery and " manufacturing art, (2) the arts of construction, (3) " land surveying and levelling, (4) metallurgy, (5) " engineering drawing, (6) the workshop, have care- " fully considered the question whether within the " limits of our peculiar province there could be offered " sufficient encouragement for the institution of an " endowment of the college in the public interest of " technical education, and on behalf of myself and " my colleagues I beg leave to make the following " statement:—(1.) We are clearly of opinion that " the organisation of King's College is capable of " undertaking the furtherance of the technical educa- " tion of the middle classes in a practical sense with " very great promise of success; and this more espe- " cially on account of the convenient locality in which " the college buildings are situated, the completeness " of the staff, the old established and specially re- " cognised association of the college with engineering " work, and the highly influential connexion of the " college; (2) Taking a broad view of the matter in " hand, and ignoring on principle all such questions " as personal remuneration we have to say certainly " that in our province the work of technical education " is very much impeded for want of appliances, a " library and the aid of subordinate officers. The " fees charged to students, although many would " desire to see them reduced, seem to be scarcely " sufficient, even with the most careful management, " to keep the machinery of the college going, as the " secretary will no doubt be able to show. Although " there is, we believe, little or no expenditure in- " curred, except for work which is actually being " done there is much that has to be done in our " province *con amore*. We, therefore, regard it to " be quite correct to say within our province that " the college is very poor and indeed embarrassed, " and that it might be of much more service to the " public if it were endowed as some other colleges " are. (3.) In respect of (1) *machinery and manu- " facturing art*, we submit that an evening class or " classes with very small fees for the instruction of " students of the more practical order who cannot " attend during the day, or pay more liberally, might " be instituted with great advantage. Perhaps it " would be also practicable to establish occasional or " special courses of instruction for particular trades, " under teachers to be specially procured from time

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to time. Models and diagrams are also urgently wanted; indeed an engineering museum might be most advantageously established; and additional officers would obviously be required. In this section alone the importance of which to the national prosperity cannot be over-rated, we are of opinion that a large sum might readily be expended to the great benefit of the cause. (4.) In respect of (2) *the arts of construction.* We are of opinion that evening instruction for civil engineers, architects, builders, and various supplementary orders of artizans and others connected with constructive design, might be set on foot with advantage, and that the department in the college museum, which represents such business might be largely improved. The fine art of architectural design also, which at present is not dealt with at all in King's College (it is so in University College), might perhaps be included in the work. (5.) In respect of (3) *land surveying and levelling*, the professor finds himself much embarrassed for want of the instruments and appliances which are required for sound instruction. Here also evening instruction, if only for office work, might be introduced. (6.) In respect of (4) *metallurgy*, we have to say that the existing professorship of this exceedingly important practical subject has been established only quite recently under a grant from the Guilds Institute of the City of London. The endowment is only 200*l.* a year, and is held at the pleasure of the Guilds Institute. This must obviously be an expensive department if it is to be commensurate with the growing importance of the subject; and we are of opinion that King's College might well undertake the duty at once of expending a considerable sum *per annum* beyond the present endowment. (7.) In respect of (5) *engineer drawing*, a subject of great importance as a branch of technical education, we are of opinion that its usefulness might be greatly extended by the purchase of models and examples, from which sketches and drawings could be made with a view of inculcating correct ideas of proportion and a full knowledge of detail. (8.) In respect of (6) *the workshop*, which is in reality a school of manual workmanship in iron, wood, and like materials, in connexion with the subjects of machinery, manufacturers, and general construction, and which is both largely popular with the students and exceedingly useful to them, additional assistants and appliances are much wanted. The college has recently been presented by the Clothworkers' Company of London with a valuable testing machine for experimenting upon the strength of materials. We should be glad to see this machine placed in a more convenient chamber, which would have to be built for it, and its use fully developed by the provision of proper attendants. As regards new professorships we are in considerable doubt; but in view of the rapid progress of physical science at the present day we may be permitted to suggest that, if it were found practicable to establish special classes for engineering, physics, practical electricity, and possibly some other kindred subjects, a considerable sum might be expended with much advantage. The class of practical fine art, also recently established under our advice, we pass over, on the ground that it will be taken up by another department. The application of endowment funds for the library for the reduction of students' fees, or for supplementing the revenue of the college in other respects, we leave to be discussed by other authorities.—C. P. B. SHELLEY, M. INST. C. E., Professor of Manufacturing Art and Machinery, King's College, London."

1783. (*Sir Sydney Waterlow, to the Reverend Canon Barry.*) One of the gentlemen told us that the income of the college was supplemented by grants from a number of the livery companies, but he did not give us any idea of the extent to which these companies make the grant. Do not the Clothworkers' Company give you 10 exhibitions and four prizes, amounting to 280*l.* a year?—The Clothworkers' gave us each year four exhibitions valued at 115*l.* for two years, two exhibitions amounting to 20*l.* for one year, and four prizes of the value of 30*l.* The total amount of their gifts is 280*l.* per annum.

1784. Have you a branch for the education of women in higher education at Kensington?—Not as yet. We are endeavouring to establish it. At present we are doing tentatively the work, but doing it independently of the college. It is done through the staff of the college, but at present it is an altogether independent enterprise.

1785. Have you any grant for the purpose of helping in that work?—None, except that we have had some donations towards our building fund from the city companies to the amount altogether of about 1,000*l.*, 500*l.* from the Clothworkers' Company and 500*l.* from other city companies.

1786. Is it intended that it should be worked under the surveillance and control of King's College?—Hereafter we trust to make it an integral part of the work of the college. At present, although it is carried on under my superintendence, and with the assistance of many of my colleagues, our council is in no respect responsible for it, except in giving us permission to carry out in the name of King's College.

1787. (*To Mr. Serocold.*) Did not the City and Guilds Institute make a grant of 1,000*l.* for apparatus to one of your departments very recently?—The gifts from the city companies altogether amount to 1,470*l.*

1788. My question did not refer to the city companies. I asked whether 1,000*l.* had not been given for apparatus in connexion with some of your classes by the City and Guilds of London Institute?—(*Mr. Cunningham.*) No, only 300*l.*

1789. (*To the Reverend Canon Barry.*) May I ask you whether the classes generally are full, that is to say, whether there are as many students as can reasonably well be taught at the different professors?—In some cases they are, and in other cases they are not. In some departments we have as many as we can reasonably teach; in others we could increase our classes without increasing our staff. As a rule, in lectures (properly so called) we could make this increase easily enough. In classes especially of practical construction it would be difficult or impossible. It would be impossible to give a general answer to that question.

1790. The payment to the professors is really a capitation payment?—A capitation payment.

1791. Of three fourths of the fees?—Speaking roughly of about three fourths. There is occasionally an arrangement by which the professors bear a portion of the expenses, and this diminishes the three fourths ordinarily paid to them.

1792. I presume if the classes were really full, the payment to the professors would be proportionately increased?—No doubt that would be the case unless it were necessary porportionately to lower our fees. There would be also in the scientific classes an increase of expenditure.

1793. I think one gentleman stated that the fees were generally as high as they could be?—As high as they could be with advantage.

1794. (*To Mr. Cunningham.*) I think you stated that the fees paid by medical students were 30*l.* a year?—120*l.* for four years. I divide the amount over the four years, and that makes it 30*l.* a year.

1795. Is not that very much less than is paid at some of the other medical schools in the metropolis?—No, it is the highest payment that is made at any medical school.

1796. Do you know the fees paid by medical students at the St. Bartholomew's Hospital Medical Schools?—They certainly are not higher than the fees paid to us, because four or five years ago the principal schools met and determined that the same fees should be charged.

1797. (*To the Reverend Canon Barry.*) Can you tell me whether the medical school, taken by itself, at King's College is not practically self supporting, the building having been paid for?—In some sense it is self-supporting, because there is no endowment by which to support it; but the medical school pays next to nothing to the general funds of the college, on account of the great expenses that are connected with it. It has been already stated that our general principle is to divide our fees into four parts, and to give three parts to the teachers and one part to the college. In the medical department the one part which is given to the college is almost (and in some years has been entirely) eaten up by expenses. Hence when we have paid our professors, though I must own by no means adequately, we have had no funds whatever to keep up the college with.

1798. Do you consider that the staff generally are not at all in excess of the numbers, having regard to the number of pupils attending?—I think not, because our principle at King's College, as at University College, is to commit each subject to a man who is supposed to be an expert in it. The result, therefore, is that many members of our staff do not devote to the college anything like the whole of their time. I myself and a few of my colleagues in the college, and the masters of the school generally, give our whole time.

1799. I presume the anxiety of those connected with King's College is to secure some endowment of the character of that by which Owen's College was founded?—I do not quite know what that endowment was.

1800. An endowment by private contribution?—We should be very glad to secure such an endowment; in fact, we should be very pleased to have any endowment that we could get honestly.

1801. May I ask you then whether you consider that King's College is doing the kind of work which should entitle it to some State endowment?—We put that view before the Science Commission in evidence some years ago, and from that evidence I should certainly not wish to depart.

1802. You are still of the same opinion that you were when you gave that evidence?—Yes.

1803. (*Mr. James.*) Can you tell us what is the average age of the students? — Practically, our minimum age of admission is about 17. But the exact average it would be rather difficult to give, because in different departments it so greatly varies. In the medical department, for instance, it is higher perhaps than in the General or Applied science department, and in the theological department higher again than in the medical department. If I were to put it, speaking roughly, between 18 and 19, I should not be far wrong.

1804. What is the longest period that any student remained at the college?—In the medical department four years in the college and hospital, in other departments two or three years, and certainly that is the longest period, I think, in any department.

1805. What is the average expense should you say for a young man who is a student at King's College who is residing in London, including living expenses; in fact, including the whole cost of his maintenance; what do you think he can reside in London for and attend classes?—Do you mean, if he is living in lodgings or rooms, and not with his parents?

1806. I mean comparing his position to that of an unattached student at a university?—I should think he could not certainly do with less than 150*l.* to 200*l.* a year, allowing for the whole expenses. I have not calculated the cost, but his college expenses, allowing for books and other necessaries, will probably be not less than 50*l.* a year. We may put 100*l.* for his general maintenance, and I think it would be hardly safe to put it much lower.

1807. (*Chairman.*) The general tendency of your evidence, I think, has been to show that you will not be able to carry on the college as you would desire to do without some endowment from public sources?—Without some endowment, from public or private sources, as the case may be.

1808. But nevertheless you never have had any endowment except that original sum with which you started?—Little or none.

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1809. And for 50 years you have continued to teach, and the position of the college in all except its finances may be considered flourishing?—I think so; except that its fees prevent its reaching as I should wish those classes of the community who are of comparatively narrow means. But I ought to say that the constant increase of the element of physical science in teaching involves an immense increase also in expense and difficulty of working, and therefore with the tendency to introduce more of physical science into education our position becomes more and more difficult. In fact, if we had not departments which are generally speaking literary departments and cost us nothing in the way of expense, I imagine that we could not go on at all. The two scientific departments contribute least to the general funds of the college; and those that are not scientific in the ordinary sense of the word really float the college.

1810. Something was said in the course of the evidence given as to your being put into competition with other institutions which receive direct assistance from the State?—Yes.

1811. Do you consider that that takes place to any considerable extent?—Very largely, I think, in the engineering department, since the foundation of Cooper's Hill College, and the large amount of work done at the School of Mines. Besides the institutions endowed by the State there are those otherwise endowed, such as the new Normal School of Science, and the Cowper Street College; and we have also in some degree to compete with such colleges as have been founded at Manchester, Liverpool, Leeds, Bradford, and elsewhere, all of which are endowed.

1812. When you say that they are endowed, do you mean that they are endowed by the State?—No, not by the State, but by private means.

1813. Therefore, in that respect you are on equal terms, because there is nothing to prevent your receiving private endowment as well as those colleges?—There is nothing to prevent it, but unfortunately it does not happen.

1814. (*To Prof. Wiltshire.*) I think there is some information you wish to give us on the subject of the evening classes. We shall be glad to hear what you have to state upon that point?—My object is to show both the work that is done in the evening classes, and the persons who come to those classes. The instruction that is given in the evening classes may be classified under the four following groups: first, sets of lectures intended for imparting information on very many branches of human knowledge; secondly, sets purely theological intended for persons preparing for Holy Orders. These two sets are special to the college. In addition there are two other groups; a course of lectures on banking, free to all persons introduced by bankers, and intended for bankers and accountants, and there is a fourth set of lectures for persons preparing for the examinations of the Civil Service. In the first group, 37 subjects are taught, comprehending divinity and the Greek Testament; ancient and modern languages, comprising Latin, Greek, French, German, English, Italian, and Spanish; the sciences, comprising botany, chemistry, practical and theoretical, comparative anatomy, zoology, and physiology, physics, experimental and applied, geology, mineralogy, and metallurgy; mathematics, pure and applied, comprising arithmetic, algebra, trigonometry, statics, dynamics, conic sections, and differential and integral calculus; jurisprudence and commercial law; ancient and modern history; harmony, drawing, painting, and engraving; public speaking and shorthand; the application of tools, comprising turning, smiths' work, and the casting of metals. In the second group the instruction given refers to eight subjects, comprising dogmatic and pastoral theology, Hebrew and the Old Testament, Greek and the New Testament, Latin, vocal and church music, and public reading. A very large number of students attending the classes. During the last five years, in the *winter session* (from the commencement of October to the end of March) the average number of tickets for

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admission to the lectures of the first group was 1,102, whilst the average number of students attending was 473. In the second group the average attendance of students was 14. In the third group, the banking lectures, the average attendance was 325, and in the fourth group the average attendance was 499. The average attendance therefore in the first and second groups was 487, or in all four 1,311. In addition to the winter session there is a summer session of about eleven weeks, when 19 subjects are taught, and when the attendance at the classes is about half that of the former. The average for the two first groups on the five years, the winter and summer sessions, was 644. Then I may speak of the class and rank of the students. Those who come to the lectures are chiefly persons engaged during the day in the city, that is, they are clerks, though occasionally professional men, merchants, and military officers, and schoolmasters desirous of acquiring an acquaintance with special subjects take out tickets. Fully one half of the students attend the examinations, and display very excellent answers. Some of the students come for the sake of the associateship of the college, which can be only obtained by their taking more than half marks in all examinations, and by their having gained at least two prizes. The students must have attended 12 courses of lectures. You will observe that this is equivalent to the work required for a university degree. With regard to the fees payable, these vary for the winter session from a guinea and a half to two guineas for each subject; of course the amount offers a very small remuneration to the teachers who are engaged. For instance, the secretary, I think, mentioned that the sum of 1,117*l.* was divided amongst 37 persons, and that they were paid *pro ratâ;* as in some of the classes, such as those of zoology and botany, only a very few attend, these not being popular subjects, the amount paid to many of the lecturers is extremely small. I should wish to mention that more than half the teachers and professors possess university degrees, and therefore are men fully qualified for their position, and that the evening classes are of great use to the public. I believe if a grant could be made to the evening classes, it would be possible to extend their usefulness to a very great extent; and also to open a series of free lectures to the working men of London. The latter might be made a main feature in connexion with these classes. This is the chief evidence I wish to give, namely, to call attention to the number of subjects taught in the evening classes of the college, and to the fact that the persons who attend these classes are engaged during the daytime in various employments.

Adjourned to Wednesday, July 12th, at 4 o'clock.

APPENDIX.

King's College.

MEMORIAL to the ROYAL COMMISSION on the CITY LIVERY COMPANIES for the COUNCIL of KING'S COLLEGE, LONDON.

The Council of King's College, London—believing that the result of the inquiry of the Royal Commission on the City livery companies may probably include some recommendation to the companies to extend that application of their resources to educational objects, which has already been liberally begun—desire, as the governing body of one of the colleges which have for the last fifty years represented higher education in London, to submit to the Commission the claims of King's College, for consideration in any scheme which may be framed for advancing education in London, by the grant to existing institutions of such endowment as may increase their usefulness, by enlarging the scope of their teaching, and by bringing it within the reach of a greater number of students.

(I.) The City companies appear to have had for their chief original purpose the promotion of technical excellence, and therefore of technical education. But, by undertaking the direction and support of public schools, by the provision of scholarships at the universities, and by other means, they have always recognised the importance of general education and its claim to some support from the resources entrusted to them. Now it is a leading principle in King's College (as also in University College) to promote various branches of technical education, and at the same time to unite these with the pursuit of general (or liberal) education, as giving the necessary foundation for all special professional training. It is, therefore, conceived that the support of such institutions may naturally find a place among those objects to which the resources of the City companies may be in part devoted, and indeed their claims have already been recognised by the companies, both directly and through the City and Guilds Institute. We would gratefully acknowledge the liberal assistance which our own college has already received from many of the companies, and the signal services which they have rendered to education, both in London and the provinces.

(II.) But the London colleges are still but inadequately furnished for the important work which they have to undertake. Although considerable sums have been contributed to both colleges for building and other necessary purposes, they still remain almost entirely unendowed as regards the teaching staff; while the assistance offered to students in scholarships, &c. is far from adequate.*

In both respects the London colleges are very unfavourably placed, not only as compared with the older universities of Oxford and Cambridge, whose annual aggregate income is believed to amount to 750,000*l.*, but even in comparison with the new provincial colleges, which have been, or are being founded, with the aid of private endowments, in Manchester, Liverpool, Leeds, Birmingham, Sheffield, Newcastle, Bristol, and elsewhere; in many of these colleges the professorships are endowed to the extent of 300*l.* or 400*l.* per annum in addition to students' fees. The university of Glasgow has recently succeeded in raising, through private munificence, the sum of 260,000*l.*, which has been augmented by a grant of 140,000*l.* from the Government, for the construction of new buildings. The students of this and the other Scotch universities receive liberal assistance in the form of bursaries and prizes, amounting in all to not less than 20,000*l.* per annum.

The Government contributes annually to the Scotch universities 18,992*l.* for the purpose of augmenting the salaries of the professors, to the universities and colleges of Ireland, sums amounting in the aggregate to 25,836*l.*; and the Royal Commission on higher and intermediate education in Wales have recommended annual grants of 4,000*l.* to the University College of Aberystwith, and the new college to be founded at Cardiff, together with further contributions to meet the expenses of building.

Thus the London colleges have been completely left behind in respect of endowments, and are obliged to depend for their income mainly on the students' fees. While they are thus cramped in resources, they have received no advantages whatever in relation to the University of London, which—itself discharging no educational function except that of examining—conducts its examinations and confers its degrees without any reference to the place or the conditions of study.[*]

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* The only endowed professorships at King's College are those of Political Economy (48*l.*) and Chinese (84*l.*), and those of practical fine art and metallurgy, each of which receives an annual grant of 200*l.* from the City and Guild's Institute.

Hence—however valuable the work which has been accomplished—the results are altogether inadequate and unworthy of the great City in which these colleges alone have attempted to fulfil the real duties of a university. The number of our students, although considerable, falls very far short of those in attendance at Edinburgh or Glasgow. At the former university the classes number 3,237; and of these no less than 1,047 belong to the faculty of arts, which represents general culture as distinct from professional training. The Scotch universities, moreover, retain their students for a longer time, the course of study extending over three or four years; and a large proportion of their students proceed to degrees. This success is undoubtedly connected with the privilege of granting degrees directly to their own students, which the universities of Scotland possess; but it is also in part due to the low scale of the fees, which amount to hardly more than a fourth of those charged at our colleges.

The usefulness of these institutions might be indefinitely increased, and they might be raised to a magnitude and importance worthy of the metropolis, if the existing drawbacks were removed, by the aid of the City companies, through such measures as the following:—(*a*) the reduction of the fees, with a view to extending more widely the benefit of higher education to the middle classes of London; (*b*) the partial endowment of the professorships, so as to facilitate such reduction of fees, and the foundation of such additional professorships, as may be found necessary to satisfy the growing requirements of professional or commercial education; with ample provision for class teaching by assistant lecturers, so as to meet the increased number of the students, and limit the size of the classes; (*c*) provision for extension and maintenance of laboratories and the purchase of scientific apparatus, with a view to more thorough practical instruction; and lastly, (*d*) liberal assistance to poor students in the form of scholarships, which should be dependent on diligence and success in work. It may be observed that the expenses of living in the metropolis, combined with the present cost of education, place the London student at a great disadvantage, which can only be obviated by endowment.

(III.) A brief survey of the educational work at King's College may be appended, as establishing its claim to such support as is contemplated in the above suggestions.

The various departments, now seven in number, which have been successively established since the opening of the college 50 years ago, constitute the college an university in all essential particulars, excepting the right of granting degrees.

(*a*.) The original departments were those of general literature and science, and of medicine (in addition to the school). The former of these departments provides a liberal education, both of the old classical and modern type, and corresponds to the faculty of arts in the Scotch universities. The latter is an important medical school, having attached to it a hospital, which does service of infinite value to one of the poorest and most neglected parts of London.

To these have been added new departments for more technical education, as occasion has arisen.

(*b*.) In the year 1838, the department of applied sciences was founded, and its scope has been gradually enlarged so as to provide the scientific training, both theoretical and practical, required for civil engineering, telegraphy, surveying, architecture, and the higher branches of manufacturing art. This combined system of practical and theoretical teaching might be extended considerably beyond its present limits, especially in the direction of the industrial arts, with the assistance necessary for improved teaching appliances, the working expenses of this department (especially in the departments of physics and metallurgy), being of necessity exceptionally heavy.

In connexion with the same department a physical laboratory was established in 1868, under the charge of Professor W. Grylls Adams, for practical study and investigation in all branches of experimental physics; some of the classes being specially designed for the science examinations of the London University, in addition to the individual teaching of students in the various branches of physics, and especially in electrical science. More than 300 students have been trained in the Wheatstone laboratory, many of whom have obtained important posts in the works of some of the leading electrical engineers.[†]

More recently, schools of practical fine art, of practical art, and of metallurgy have been opened, thanks to the liberal aid received from the City and Guilds of London Institute. The former school includes such branches of decorative art as drawing on wood, painting on china, etching on copper, &c. In order to extend its usefulness, especially for artisans—many of whom already attend the classes—assistance is needed to provide one or more assistant teachers and extra lecturers; also a larger library for reference and additional casts for purposes of study. With such aid the school might accommodate 100 or 150 more students.

The work accomplished in these several departments of practical science and art is so closely connected with the original objects of the City livery companies that we trust that it will be definitely recognised in any plans for the promotion of technical education.

(*c*.) In 1847 a theological department was created, supplying a branch of higher education, which from the nature of the case could not be represented in University College or the University of London; and through this more than 600 clergy have been trained, chiefly for the service of the metropolis.

(*d*.) In the year 1856 an evening department was opened, which at first numbered 200, and now numbers nearly 500 students. These classes have been of great benefit to those occupied in business during the day. The curriculum includes almost every subject taught in the college,[‡] and the instruction is thoroughly systematic. The teachers are 36 in number, and nearly all the classes are conducted by professors and lecturers of the regular college staff.

The fees are considerably lower than those of the other departments, averaging about a guinea and a half for the session of five months. This department might, however, be greatly enlarged and the evening teaching opened much more freely to students of the poorer class, by reducing the fees still lower, and by providing gratuitous lectures from time to time on subjects of general interest. For this purpose some endowment would undoubtedly be required, as it is even now found impossible to remunerate the lecturers at all adequately; and it may be observed that the other evening classes which have been recently established are for the most part supported by endowment.

(*e*.) In 1881 it was resolved to extend the work of the college so as to embrace the higher education of women; and although the new department has not yet been included in the system of the college, yet classes have been for some years at work at Kensington, under the direction of the staff of the college, and on the same principles on which the college itself is conducted.

(IV.) It will be seen that the work which is done in the two great London colleges has grown to a very considerable magnitude;[§] and the necessary expense of maintaining it taxes most severely their resources, so that the amount left available for the payment of the staff and for teaching appliances is entirely insufficient.

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[*] The University of London originally recognised only University College and King's College, and in fact consisted of those two colleges. Other teaching bodies were subsequently included, and ultimately affiliation was altogether dispensed with, except in the case of the medical degrees.

[†] The value of the scientific education given in this department was fully recognised, and its endowment recommended by the Royal Commission on Scientific Instruction and the Advancement of Science. (*See* Reports, 1871-4.)

[‡] The following is the list of subjects:—Divinity and Greek Testament, Latin, Greek, Ancient History, French, German, English Language, Literature and History, Italian, Spanish, Geography, Arithmetic, Writing, Mathematics, Commerce and Commercial Law, Chemistry, Practical Chemistry, Mechanics, Physiology, Botany, Experimental Physics, Applied Physics, Mineralogy, Geology, Comparative Anatomy and Zoology, Logic, Political Economy, Public Reading and Speaking, Law, Harmony, Vocal Music, Practical Fine Art, Metallurgy, Practical Metallurgy, Practical Art, Shorthand. In addition to these are workshop classes; these are intended to give practical instruction in wood and iron work as applied to building and engineering construction.

[§] The number of students at King's College in 1882 was as follows:—

Matriculated Students—	
Morning Classes	400
Evening Classes	78
	478
Occasional Students—	
Morning Classes	113
Evening Classes	352
	465
The School	611
Special Classes—	
Civil Service	782
Gilbart Banking Lectures	230
Workshop Evening Class	22
Practical Art	25
	1059
Ladies' Classes, about	350

King's College.

It has been thought that the present income would require to be augmented to the extent of half its present amount by endowment, independent of fees, in order to secure to the colleges their proper influence and efficiency as centres of higher education in London. Such increase may be estimated at about 25,000*l.* annually for each college. This endowment should be so employed as to effect a considerable reduction of the present scale of fees, wherever it may be possible; to provide for largely increased aid to students; to improve the appliances for practial teaching; and to supplement the emoluments of the teaching staff by endowment on such a scale as to raise them to the same standard as those of the professors in the other leading colleges or universities in England and Scotland.

The Council trust that, in case of the grant of any endowment through the City companies, the governing body of each college would be left free, by agreement with the courts of the various companies, under any controlling authority which might be created, to dispose of it with a view to the carrying out of these objects.

But it may be desirable to add that, taking the standard of 25,000*l.* already indicated, the benefits of endowment might be virtually divided between the students and the college itself, under something like the following scheme:—

1. An annual sum of 7,000*l.* towards working expenses, and towards the maintenance and extension of museums, laboratories, and apparatus, would render it practicable to reduce the fees by about one third on the average.

2. For the purpose of direct assistance to students, a sum of 6,000*l.* annually would furnish twenty entrance scholarships at 50*l.*, and twenty foundation scholarships at 100*l.*, each tenable for two years. It has been suggested that some of the latter might be connected with special studies, and that pecuniary aid should be specially offered to intending teachers so as to render the college directly useful in stimulating and improving middle-class education.

3. In regard to the endowment of the teaching staff, the slightest examination will show that the present stipends of the teachers are extremely inadequate, as compared not only with those of corresponding positions elsewhere, but with those attached to lower kinds of educational work. In order to meet the necessary expenditure for educational purposes, and to raise the stipends of the teachers to anything like an adequate standard (allowing for the suggested reduction of fees as well as for addition to the teaching staff, in case of increase of number of students), about 10,000*l.* annually would be required, and a further annual sum of 2,000*l.* for the purpose of a retiring fund.

It is thought that such an apportionment—assigning nearly half the total endowment through scholarships and reduction of fees to the direct benefit of the students—would provide adequately for the public interest; and that the City livery companies, to whose munificence our college is already indebted, would regard such an endowment as entirely consistent with the educational objects to which their resources are already in considerable measure devoted.

TWELFTH DAY.

Wednesday, 12th July 1882.

PRESENT :

THE RIGHT HONOURABLE THE EARL OF DERBY, CHAIRMAN.

HIS GRACE THE DUKE OF BEDFORD, K.G.
THE RIGHT HON. VISCOUNT SHERBROOKE.
THE RIGHT HON. LORD COLERIDGE.
THE RIGHT HON. SIR RICHARD ASSHETON CROSS, G.C.B., M.P.
SIR NATHANIEL M. DE ROTHSCHILD, BART., M.P.
SIR SYDNEY H. WATERLOW, M.P.
MR. ALDERMAN COTTON, M.P.
MR. WALTER H. JAMES, M.P.
MR. JOSEPH FIRTH, M.P.

MR. H. D. WARR, *Secretary.*

Deputation from Companies' Irish estates.

12 July 1882.

* A deputation from the companies' Irish estates, consisting of Mr. R. H. Todd, LL.D., Rev. W. McCay (Ironmongers' Company), Mr. Andrew Brown, J.P. (Salters' and Drapers' Company), Mr. Robert Stewart (Mercers' Company), Mr. Robert Dunn (Fishmongers' Company), Rev. Nath. M. Brown, and Professor Dougherty, waited upon the Commission. The deputation was introduced by the following Ulster members, Sir T. McClure, M.P., Mr. C. Russell, M.P., Mr. T. Lea, M.P., Mr. Givan, M.P., Dr. Kinnear, M.P., Mr. T. A. Dickson, M.P., and Mr. J. Dickson, M.P.

1815. (*Chairman to Sir Thomas McClure, M.P.*) Now, Sir Thomas, we shall be glad to hear what you have to say?—I regret that my colleague, the Solicitor-General for Ireland, is unable to attend. He is watching a Bill in the House of Commons, and was not able to come with us, which he is sorry for. I have the honour to attend with a deputation of gentlemen who have been selected by the tenants on the estates of the London companies in the county of Derry to appear before you. They wish to give evidence as to the position and general management of those estates, and especially to convey the earnest expression of the desire of the tenants that greater facilities might be given to them to become owners of their holdings. Your lordship is no doubt aware that those estates were granted nearly three centuries ago for the purposes of encouraging a settled population who might cultivate the land and become a centre of civilization and strength to the nation. It is not my part to enter upon the question of how far that trust has been carried out, but I may state this, that the uncertainty of the terms of the tenure by which the cultivators of the soil held their land has long been the subject of complaint, and I can say, without hesitation, that I believe the companies would best fulfil the duty they undertook and the trust imposed upon them by promoting the transfer of the farms on easy terms to the present occupiers. Having visited all these estates and become acquainted with the tenantry I can state that their character is exemplary, and that they are an industrious thrifty people, and I believe that to make them owners of the land which they occupy would not only be a benefit to them, but also an advantage to the country, by establishing a settled industrious prosperous population. I may now introduce to you the deputation of gentlemen whose names I will just mention. The Reverend Mr. McCay has been selected by the tenants on the Ironmongers' estate to represent them; Mr. Robert Dunn, to represent the tenants on the Fishmongers' estate; Mr. Andrew Brown, J.P., to represent the tenants of the Salters' and Drapers'; Mr. Robert Stewart, to represent the Mercers'; we have also the Reverend Nathaniel M. Brown, of Limavady, who took an active part in the arrangements for the tenants on the Waterford estate, and who can give valuable evidence as to the difficulties in the way of conveyance to tenants and the affording of greater facilities; then we have Mr. Todd who has acted as solicitor for the tenants, and who can give very valuable general information, and we have Professor Dougherty who is well acquainted with the matter and anxious to forward all arrangements that would be for the welfare of the people and likely to promote content and material prosperity. I should state that in March 1881 I was requested to present memorials from all the tenants of the different estates to Mr. Gladstone. I presented them personally, and at the same time read to him a letter which was enclosed, and I beg to hand those memorials and that letter in to your lordship.

1816. Before we go into the general subject perhaps I may suggest that as there are a great many points upon which the argument which you are about to use must be common to the tenants of all the companies it might be convenient and save repetition and a waste of time if you would agree to have that general argument stated once for all, and then questions which are special to the estates of any particular company can be gone into afterwards. I think that will be most convenient?—(*Mr. C. Russell, M.P.*) I think your lordship will find that that has been already considered by the deputation itself. I think it is proposed that Dr. Todd, who is a solicitor in Londonderry, and who has already communicated to your Commission a paper dealing with the subject generally, shall hand that in as his evidence, supplementing it by such additional observations as seem to him necessary, and that that should be treated as his evidence subject to such examination as individual members of the Commission think right to address to him. I think your lordship will also find that the individual members of the deputation, who speak to particular estates and particular subject matters in reference to these estates, are arranged in the order of witnesses in the paper handed to your lordship. I do not propose to add anything to what my friend Sir Thomas McClure has said, except just to mention this, that as there seems to be a consensus of opinion between all political parties in the state that it would be an advantage not merely to the individuals themselves but to the community generally that there should be an increase of occupying proprietary in Ireland, this (undoubtedly dealing with property, which is of a public nature and of a trust or quasi trust character) would seem to offer an exceedingly advantageous opportunity of trying that experiment without any interference (to which the Legislature of this country undoubtedly strongly objects in general) with what may be called particular private interests. I would add also this further observation, that the dealings of some of those companies with their properties, one notably, I might mention, points strongly, I think, to the great desirability of the right of sale being secured to the tenants themselves and the properties not being offered in the general market. The particular case to which I allude is the case of the Clothworkers' Company, whose property it may be known to some members of the Commission was sold by that Company. The tenants were willing to buy. They offered fair terms for the purchase, I believe terms which in the aggregate would have quite come up to the price which was offered by the individual purchaser, but the Company, I suppose preferring not unnaturally to deal

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* *See* the statements and evidence given on behalf of the companies in question in the Session of 1883, viz., Ironmongers' Company, pp. 345, 353; Salters' Company, pp. 344, 355; Fishmongers' Company, pp. 322, 323.

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with a single buyer sold to that single buyer, and the result was that the rents to the tenants upon the Clothworkers' estate have been raised, and raised enormously, upon the tenants since that sale to the particular purchaser. I do not think it is desirable that I should mention the name of that purchaser or go into particulars about it, but if the Commission desire to have the particulars they can have them put before them in detail by those who are cognisant of the facts. I would only add my testimony to that of Sir Thomas McClure (being myself an Ulster man by birth and having lived in that province a great part of my life) that a more thrifty, industrious, and hard-working population does not exist in any part of Her Majesty's dominions.

1817. I do not want to interfere with the conduct of your case, but questions of rack renting or high renting it can hardly be worth while to go into now, because assuming the existence of rack renting in the past or in the present a remedy has been provided ?—It was not with that view that I was mentioning the particular case of the Clothworkers', but only with a view to securing the right of pre-emption to the tenants, should the estates be sold.

1818. My comment upon that was, and is, that the tenants are secured in the case of there being other purchasers, or in the event of any such difficulty as that to which you refer, or in the event of the rents being raised ?—I agree that the difficulty is not so great as it was.

1819. (1) (*To Dr. Todd.*) We shall now be happy to hear what you have to say ?—I have handed in a printed statement of the evidence I propose to give, and perhaps it would save some time if your lordship would take that as my evidence ; and if there are any other questions which you desire to ask me I shall be happy to reply to them. I merely point out that in the printed statement there is one inaccuracy. As I understand you have not had an opportunity of reading the statement, I will just tell you shortly what the substance of it is. I deal with four points. First, the desire of the tenants to buy ; secondly, the reasons why the companies, if unwilling to sell to the tenants on reasonable terms, should be compelled to sell on reasonable terms ; thirdly, suggested terms of purchase ; and fourthly, the disposition of the purchase money.

1820. You say in the first place, as I understand, that the tenants on the estates for which you speak desire to buy the holdings ?—That is so.

1821. That I suppose may be taken to be a very general wish ?—That may be taken to be a very general wish. It would depend upon the terms, but if the terms are reasonable they are all willing to buy.

1822. But are they prepared to pay for their farms what would be their fair value in the market in ordinary times ?—Their fair value in the markets, yes, if the fair rents were fixed all over the estates.

1823. That you have a legal power of obtaining at present without any interference, have you not, under the Land Act ?—Certainly.

1824. (*Sir S. Waterlow.*) Will you state the estates to which you refer so that we may know what you are speaking to ?—My evidence is general with regard to all the estates that are unsold.

1825. (*Chairman.*) All the estates under the companies that are unsold you mean ?—Yes. It is not possible for some of the companies tenants to get the rents fixed at present under the Land Act of 1881, because on a good portion of the estates (and on the whole of one estate particularly, *i.e.*, the Fishmongers' estate) the holdings are under lease.

1826. I think we may assume one or two points. I think the Commissioners will be willing to assume that the tenants do probably desire to buy the holdings, that that is a general feeling, and that the question is in the main one of terms ?—The question is in the main one of terms.

1827. Supposing that the companies were called upon to sell their estates on the ground that a non-resident proprietary is undesirable and that land had better not be held by corporate bodies, are the tenants prepared to make offers equally advantageous with those which would probably be made by the outside public ?—I do not think the outside public at present would buy any of the estates at all. I do not believe that any private individual would buy at the present moment.

1828. Perhaps not at the present moment, but speaking of ordinary normal times ?—I do not anticipate that in Ireland it is likely that landlords will invest their money in estates in the future, because it is impossible that they can get any increase of value and the tenants can purchase on equally good terms with private individuals.

1829. We will assume that the rents not only may be fixed, but that they either are fixed by existing leases or will be fixed hereafter by the Land Court ?—Suppose the rents were fixed, I believe that the rate of purchase would be about 20 years' purchase.

1830. Is it your opinion that any considerable number of the tenants would be able and willing to pay 20 years' purchase for their holdings ?—About one fourth, I think, of the tenants on the various estates would be able to supply from a fourth to a fifth of the purchase money.

1831. That is to say, they would not be able to pay, but they would have to borrow the money somewhere ?—Exactly. It would be only by the aid of State money or money to be lent by the companies or private individuals that they could possibly make a purchase of the whole estates.

1832. Let me understand clearly what would be the difference in their position, because at present I do not see it. If they bought under the circumstances you mention, borrowing either from private or public sources, three fourths or four fifths of the purchase money, they would, of course, be paying interest upon that money ?—Yes.

1833. In what respect would their position as proprietors liable to pay full interest upon the purchase money differ from that of persons who are nominally tenants but whose rents are fixed for a long term of years by the operation of the law ?—They do not propose to pay the full interest on the purchase money ; they propose to get at least three fourths from the Government on advantageous terms under the Land Act.

1834. That is to say, they are not prepared to pay the ordinary rate of interest ?—They propose borrowing the three fourths from the Government, and in case the Government extend the amount to be given, and advance it on more reasonable terms, they propose borrowing as much money as they can get from the Government, and then ask for the balance from the companies, that balance to be repaid by similar instalments to those by which they repay the loan from the Government. In point of fact no considerable number of the tenants could pay any portion of the purchase money except by instalments.

1835. Do you think it would be a safe financial operation to lend to a man so circumstanced ?—Quite safe.

1836. You propose then that the Government should lend three fourths of the money ?—Yes ; we are in hopes that the Government will lend at least four fifths of the money, but in the meantime the Government will lend three fourths of the purchase money under the Land Act of 1881.

1837. Where is the remaining one fourth or one fifth of the purchase money to come from ?—We propose that the companies should be recommended to take payment of that in instalments as well.

1838. Not to receive it at once ?—To take payment in instalments in the same way as the Government.

1839. And with regard to the three fourths or four fifths which the State is to contribute, the companies are to receive that down, as I understand you ?—Of course the companies would receive the three fourths

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(1) *See* Ironmongers' Statement, p. 353 ; Memorial of Skinners' Company, p. 357 ; Fishmongers' Statement, p. 325.

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at once from the Government. We propose that the whole money shall be payable by instalments, three fourths to the Government by instalments and one fourth to the companies by instalments.

1840. Speaking generally, you have stated what you consider to be fair terms—20 years' purchase upon the rent fixed by law?—I propose that the basis of the purchase should be the Government valuation of the land, that is, the present poor law valuation of the land.

1841. Griffith's valuation?—The present Government valuation.

1842. Is that Griffith's valuation?—Griffith made two valuations, but it is the present Government valuation I refer to.

1843. (*Sir N. M. de Rothschild.*) Is not that considerably below the present rental?—On some estates considerably below the present rental, but considerably above what the rents should be.

1844. That is not the question I asked; is it not considerably below the present rental?—Not considerably. On the Drapers' estate, for instance, it is only a small fraction below that.

1845. (*Chairman.*) Why do you prefer Griffith's valuation to a rent fixed by the Land Courts?—Simply because it is impossible to get the rent fixed by the Land Court within a reasonable time to complete a purchase, and because tenants who hold under lease cannot have a fair rent fixed.

1846. (*Sir S. Waterlow.*) You mean the valuation now in force for taxation purposes, do you not?—Exactly; but the Government valuation, exclusive of the houses: The gross Government valuation includes houses. The reason I put it on the value of the land alone is that some tenants have a large proprietary interest in the way of buildings; others have very small buildings, and it would be obviously unfair to say to the tenant that he should purchase on the basis of the houses he had erected himself. Take Mr. Cather, of the Fishmongers' estate; he has buildings on his estate, I should say, worth 200*l.* or 300*l.* a year, all erected by himself, and under the present law they are his own property. Taking the gross valuation as the basis of the purchase, you would ask him to purchase the property he built himself.

1846*a*. I presume you mean that the tenant is only to purchase that property which belongs to his landlord. Of course that which belongs to him he would not have to purchase on any valuation at all?—I propose that he should purchase a little more. I take it if you look at the history of the estates you will find the greater part of the value has been created by the tenant's sole expenditure.

1847. Is he to purchase that?—I think it is not possible to give him full justice. If you gave him full justice you would simply give the landlord about one third of the purchase money that I propose giving him.

1848. (*Chairman.*) I think we understand your view as to the basis on which the purchase should take place. Now as to your fourth point, the disposition of the purchase money; I understand from your printed statement that you think that that money, or the greater part of it, should be retained in the country?—Yes, I think the estates are clearly trust estates—trust estates for public purposes in Ireland. It is already declared that the estates of the Irish Society are trust estates, and the charter to the Irish Society granted the whole of the lands, the lands not only that they hold themselves, but the lands that are at present held by the companies, and the Irish Society conveyed the proportions to the various companies, who take their title through the charter. There is a declaration in the charter that is sufficient to impress the estates with the public trust, and there have been a considerable number of dealings between the Crown and the public and the Irish Society which show clearly that the intention was that the estates should be administered for the benefit of the public only.

1849. (*Sir S. Waterlow.*) You are speaking, I presume, only of the estates of the Irish Society?—And of the companies'.

1850. Is it not the other way round; were not the estates granted, and were not the trusts that were imposed upon them all placed upon the estates of the Irish Society, and were not the livery companies estates exempted from them?—Not at all; at least, I think not.

1851. Have not the House of Lords declared that so soon as the public trusts attached to the Irish Society's estates have been satisfied (if that time ever arrives), the Irish Society's estates are to belong to the livery companies?—I am not at all sure that you are correct in your interpretation of that judgment, but I think you will find, if the matter is brought before the court at the present time, that the companies take subject to the trust. They have notice of the trust; the trust is actually impressed in the charter.

1852. Are not the words of the House of Lords these, "so soon as the public trusts of the society are "satisfied, if that time ever arrives, then the companies are entitled to the reversion of the estates"?—I have not the words by me, and have not read them recently, therefore I cannot exactly say; but I have not the slightest doubt that the statement made is inaccurate as to the present law of the matter.

1853. (*Chairman.*) You say in your printed statement, "there can, I think, be little doubt that the "companies are not private owners, but trustees of "these estates for public purposes"?—Yes.

1854. Has that ever been recognised by a judicial decision?—No, except in the Star Chamber proceedings, where the trust was not denied. It never came before a court of justice in the case of the companies estates. In the case of the Irish Society it did, and it was there argued. The Irish Society set up the same claim as that which the companies set up now, namely, that they held for their own private benefit.

1855. (*Sir S. Waterlow.*) Was not the case a case in which the livery companies were the plaintiffs and the Irish Society the defendants, and did not the livery companies claim to exercise the control over the Irish Society's estates, and did not the House of Lords declare that so long as there was any public trust to be discharged by the society the companies could not touch the property, but that so soon as those trusts were satisfied, they would be entitled to the reversion?—I am not quite sure that you are accurate in your recollection of the words you are quoting, but I am quite sure that the words you are quoting are inconsistent with the other part of the judgment.

1856. Was not the judgment against the livery company?—It was, decidedly.

1857. Was it not held that they had no control over the property until the trust was satisfied?—Yes; but if my recollection is correct the livery companies claimed to be private owners, and to be entitled to the full amount of the purchase money, whereas they, in fact, would take the residue of the Society's estates subject to the trusts under which they hold their particular estates.

1858. Have not the livery companies not only claimed to be private owners, but exercised the right as owners and sold their property, and made a good title, and do not the private owners hold it now against everybody?—No, certainly not.

1859. Does not Sir Hervey Bruce hold his estates from the Clothworkers' Company?—He does.

1860. Do you desire to challenge his title?—I do not challenge his title directly. I do not challenge his title to hold the lands, but I say that the money the company received from Sir Hervey Bruce should be devoted to public purposes in Ireland according to the trust. Of that I have no doubt whatever, and may say further that the companies have clearly recognised this trust from time to time.

1861. (*Chairman.*) The trust, I suppose, which you speak of would be a trust for some specific and definite purpose, what purpose has ever been defined as that to which these trusts were applicable?—So

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far as defined, at all—for educational, religious, and charitable purposes, and the development of the resources of the country. The charter says, "Whereas "there can be nothing more kingly than to establish "the true religion of Christ among men, hitherto "depraved, and almost lost in superstition, "*strengthen, improve, and cultivate, by art and "industry, countries and lands uncultivated and "almost desert.*" That gives the substance of it, though it is elaborated more fully.

1862. (*Sir S. Waterlow.*) Were not those trusts subsequently imposed upon the estates which were separated from the general body of the estates and granted to the Irish Society in order to carry out the trusts?—Do you mean at the time of the separation of the estates?

1863. At the time they were divided partly among the companies and one thirteenth part to the Irish Society for the purpose of giving effect to this trust?—You mean at the time the estates were allotted?

1864. Yes?—I do not agree with you there at all. I think it was shown afterwards that the estates of the company were taken subject to that trust, because having failed to carry out that trust the charter was revoked, the grant was cancelled, and the estates taken into the hands of the King again, and if you look at the reports of Sir Thomas Phillips, who was then the governor of the country, he states that very distinctly; you will find also that the letters of the King state it very distinctly, and the judgment of the Star Chamber declares it very distinctly. There is a further reason why I think that the money should be devoted to public purposes in Ireland, and more especially in connexion with the county. According to that statement which I have just read to you the lands were impressed with that trust, and the companies were intrusted to reclaim the waste lands. Immediately after getting the second charter (which they got from Charles I. after the cancellation of the grants) they sublet all their estates to middlemen and left the cultivation and reclamation of the estates altogether to the tenants. From that time until the resumption of the estates by the companies in the beginning of the present century, (the companies resumed as the various leases fell out in the present century) the tenants made all the expenditure. They reclaimed 130,000 acres of land in the county, built all the farm buildings, made all the fences, drained all the lands, did all the farming improvements on the estates, and raised the value of the estates from 1,800*l.* a year (which was the amount of the return made to the grand jury at that time for taxation purposes as the value of the whole estates), to the present rent of, in round numbers (I am not sure that I am quite accurate in my figures), about 160,000*l.* per annum; that is, including the estates of the 12 companies and the Irish Society's estates. That is about the rental, and I should say that in raising the value from 1,800*l.* to 160,000*l.* a year the companies never spent more than 20,000*l.* or 30,000*l.* at the very utmost, and I believe not so much as that. I mean of course in agricultural improvements. So far as regards charitable purposes they have devoted a good deal of their funds undoubtedly to such objects, but they have not assisted the agricultural portion of the community at all; and what I think is this, that the tenants of the county, having increased the value of the lands of the county to that extent, it would be unreasonable that the land, or the purchase money of that land, representing that value created by the tenant's expenditure should be handed over to any other purposes than purposes in the benefits of which the tenants would participate.

1865. (*Chairman.*) On the ground that the value has been created by the tenants themselves?—Exactly, that is one of the reasons.

1866. Would not that argument equally apply in the case of a private person selling his estate. As I understand you, you say that if these estates are sold the purchase money ought to go back to the tenants, because it is by their labour that the estate has been created?—Not exactly that. I am afraid I did not put it clearly. What I say is this, in the first place the companies' estates are trust estates, and being trust estates the purchase money of those estates should be devoted to public purposes in Ireland, in accordance with the original purposes declared by the King in granting the estates, but that the county of Derry has a peculiar claim to a large portion of this trust money on the ground that I state. In point of fact, if under the Land Act of 1881 the rents were fixed, and fixed on the principle that no rent should be charged on the tenant's improvements, then, inasmuch as we have clear evidence in this case that no improvements were made by the landlords, also clear evidence as to the condition in which this land was at the time of plantation, and can show the condition of the land now, the result would be that the present landlords would be limited to the original value, or the prairie value, of the land.

1867. Is that a principle which has ever been laid down by the Land Court?—There is a section in the Act of 1870 which is held to be applicable, and that is that the rent at which the lands have been held, the time during which the tenant may have enjoyed the advantages of the improvements effected by himself, shall be taken into account by the court in reduction of the tenant's claim. But I would like to point out to your lordship the construction of that. The tenants are supposed to enjoy advantages before that section applies at all. Now if the improvements do not yield more than a fair return upon the outlay, (and they do not) the tenants have enjoyed no advantages, and the section could not possibly apply. There is the further point that the rent at which the tenant has held the holding may be taken into account by the court, and if during all this time the tenants have been paying not only a full rent on what they got at first, but rent also on their own improvements (and they have been doing that all along), it is clear that they have enjoyed no advantages and have not been recouped for the labour they have expended.

1868. Is not this a question to be settled by the Land Court?—I put it in this way; this is a strong reason why the tenants should get favourable terms; it is a strong reason why, if we cannot do absolute justice by having the rents fixed before purchase, and have to purchase on the scale I laid down, a considerable portion of the purchase money should be devoted to the purposes of the county of Derry.

1869. Is there anything you wish to add to the statement you have made?—There is a matter in one of the paragraphs of my statement that I was anxious to call attention to, in which I find that there is a slight inaccuracy, and that is in the reference to the Fishmongers' estate. It is stated in the 10th paragraph, "The last lease to the Earl of Tyrone expired in 1820, "the company then resumed possession, revalued the "estate, and raised the rental to 10,000*l.* a year." I may say that there was a rise in 1820 and leases given for 31 years or 21 years; on the expiration of those leases there was a second rise. This is the rental after the second rise and not after the first rise.

1870. (*Sir S. Waterlow.*) When you said that the income of the companies estates and of the Irish Society was about 160,000*l.*, did you mean the income payable by the tenants to the landlords, or did you mean that the properties were assessed at that in the Government valuation?—I mean the gross rental of the 12 companies estates and the estates of the Irish Society.

1871. Received by the landlords?—Received by the landlords.

1872. (*Mr. Firth.*) Have you the division of it amongst the companies?—I have not got it in this statement, but I can furnish it to you in a very short time.

1873. (*Sir S. Waterlow.*) I think you said that the tenants had made all the improvements?—Yes.

1874. I will come to that point presently, but is it not a fact' taking the Drapers' Company's estate as an

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example, that the value of the tenant's interest in the property is on an average 23 years' purchase of the rental?—I have no doubt it is quite; it should be 25 years' purchase.

1875. If the tenant has an interest in the property equal to 23 years' purchase of the rental, surely that is some compensation for any improvements which he may have made, is it not?—Certainly not.

1876. Does it not show that the property is worth really the tenant's interest and the landlord's interest in it, *i.e.*, twice as much as the tenant is paying the landlord?—Not if the 23 years' purchase would give no return to the purchaser, as is the case, as a rule, with tenant right in the north of Ireland.

1877. Do you mean seriously to tell the Commission that tenant right sells at 23 years' purchase in the north of Ireland, and that when the tenant has bought it it gives nothing back to him?—I do; I know that of my own knowledge. I have been practising the last six years, and know that many of the tenants have bought and have sold the tenant right interest where the actual rent was more than the full value of the land. They have the selling interest, but no valuable interest whatever; that I know of my own knowledge.

1878. Now take a farm of 10*l.* a year, which is an easy calculation, there is a tenant right of 23 years' purchase, that is 230*l.*?—Yes.

1879. Do you mean to say that a tenant would go in and pay 230*l.* without getting any return upon the 230*l.* which he invested?—I mean to say that he has done it from time to time, and that it is the custom to do it. I do not mean to say that in all cases there is no return, and I do not mean to say that the return in one case is always the same as in another, but I say that tenants have purchased farms held at a rack-rent for a considerable number of years' purchase, and I say also that a considerable amount of the purchase money in all cases represents goodwill and not valuable interest, and this is what we call dead money, which is lying invested in the land until the tenant comes to re-sell and get his money into his pocket again; in the meantime it gives him no return, but simply a home and occupation, and for the purpose of getting that he pays more than the land is value for.

1880. Do you mean seriously to tell the Commission that the money paid in the north of Ireland does not yield to the tenants any monetary return in the shape of profit from the farm?—I mean to say that it yields from 0 per cent. up to 5 or 6 per cent., but in very many cases it yields 0 per cent.; in some 1, in some 2, and in very few over 3 per cent.

1881. How do you account for people giving the money for that which will bring them back no return?—They have no other means of occupation; they have no means of investment; they know of no investment by which they can get a return. In the banks they could only get 1 or $1\frac{1}{2}$ per cent. interest. The amount is very small, and very often men will purchase, and pay a large number of years' purchase money, in order to get into a larger holding, or for the purpose of raising their social status, and getting some other advantages.

1882. Do you know anything about the Drapers' estate?—Yes, but not so much as of the Fishmongers' estate and the Skinners'. I know them very intimately, I have a large number of clients on those estates, and am practising among them daily. But I know that the figures I give you are accurate, or substantially accurate. There may be a slight inaccuracy.

1883. Taking the years from 1870 to 1879, am I not substantially accurate in putting the gross rental at 14,000*l.* to 14,500*l.* a year; do you know sufficient to judge of that?—From my recollection of the figures that is the case; I have not them before me, but I think you are about accurate. Mr. Brown has the figures. It is practically correct as you put it.

(*Mr. Andrew Brown.*) There is an obvious difficulty in having any discussion between the Drapers' tenantry and their landlords, because the Drapers' Company have generously granted a reduction of 15 per cent. upon their rents, *taking it off the leaseholders as well as the others*; the people are highly gratified with it, and I am sent here to say so.

1884. (*To Mr. Andrew Brown.*) May I take it from you that the statement you have just made may be accepted by the Commission as evidence that you, as one of the Drapers' tenants, speaking for yourself and others, are pleased and gratified with the arrangements which they have made, and are now making, as to the reduction and revision of rents; is that what you would wish to convey?—They are highly gratified.

(*Dr. Todd.*) They may be highly gratified with the particular reduction, but I should think they are hardly gratified at being overcharged ever since the rent was raised.

1885. (*To Dr. Todd.*) I was not asking anything on that. I had intended asking you if you knew the very large amount (more than 50 per cent.) which the Drapers' Company have been in the habit for years past of spending on the estate or upon public objects on the estate?—I say distinctly they recognise their trusts on all the estates; they spend large quantities of money in providing schools.

1886. From your knowledge of the tenants on the Company's Irish estates in the north of Ireland, do you think that those tenants would have been better off if they had been the tenants of private individuals, instead of being tenants of the companies?—With some private individuals they would have been better off, and with some worse.

1887. On the average would they not have been materially worse off?—On the average they are better off than with private landlords; I admit that freely, but I could give the names of landlords that are better landlords than the companies.

1888. Do I understand you to say that you believe that there are no better landlords in the north of Ireland than the livery companies?—I do know better landlords in the north of Ireland than the livery companies.

1889. Can you tell me any one of them?—Lord Castlestuart is one.

1890. Does he spend 50 per cent. upon his property?—No, but he never rackrented his property; he never charged rent on his tenants' improvements, but allowed the tenants to develop the land, without raising the rents. The companies have invariably rackrented, from the time they got hold of their estates until the present time; or, rather, they have allowed the middlemen to do so.

1891. I think you said that the Skinners' on their Pelliper estates increased their rents some short time ago, or some few years ago?—Yes, they did.

1892. Do you know what portion of the gross rental the Skinners' spend on the Pelliper estate?—I know that they have spent nothing in the way of agricultural improvement at all, nothing whatever.

1893. Are you prepared to say that they do not spend out of the gross rental in Ireland on the estates from 25 to 35 per cent. of their gross rental every year?—I believe they do in charitable and religious and educational purposes. I think that is quite accurate.

1894. And in the maintenance of the estates generally?—No. They have paid the lawyers, agents, bailiffs, and surveyors, and they have given money to clergymen, and they have given money to doctors, and they have given money for various other charitable and religious purposes; but in no single instance, to my knowledge, have they spent a single sixpence in agricultural improvements, or given the slightest benefit to their tenantry.

1895. Did not they in 1879 and 1880 make an abatement to their tenantry of 10 per cent. of their rents?—They did, when they should have made an abatement of 50 per cent.

1896. We will take the fact?—Other landlords were making larger abatements, I may tell you, at the same time.

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1897. Are they not now negotiating with all their tenants for renewed tenancies, instead of going into the Land Court, and have they not settled with at least 100 of them?—I do not think they have settled with 100 of them; they have settled with a few.

1898. Are you prepared to say that they have not settled with 100?—I am not. I do not know how many they settle with from day to day, but I can tell you the mode in which they make the settlement if you will allow me.

1899. (*Mr. Firth.*) Tell us that?—They summon each individual tenant into their office; they refuse to allow him to be accompanied by solicitor, counsel, friend, neighbour, or anybody. They bring him in before their own clerk from London, before their own counsel from London, before their own solicitor from London, before their local solicitor, before their agent, before their sub-agent, and before two valuators. I think eight or nine persons altogether.

1900. (*Mr. James.*) What company does this refer to?—The Skinners' Company. I believe that is the worst-managed estate in the north of Ireland, without exception, and I know it intimately. The tenant is brought in, he has no assistance, he is an ignorant man as a rule, he is in fear of his landlord, as all such tenants are; one question is put to him by the agent, another question is put by the solicitor, a third by the London solicitor, a fourth by the London counsel, the fifth is a suggestion made by a valuator, and so on until the poor man is badgered to such an extent that he agrees to almost anything; the rent is put up to auction, as it were; one suggests so much reduction, another a little more, and another a little more, until they get the man to accept whatever they think right. I can tell you further that the reductions they have given are not in accordance with the justice of the case, and that the Land Court would have reduced them very much more.

1901. (*Sir S. Waterlow.*) I have not interrupted you because I supposed you were stating what you knew personally?—Quite so.

1902. You have been acting for some of the tenants, as I understand?—For a large number.

1903. Do you not think that a tenant acting under your advice and going in to see his landlord is quite capable of judging for himself what he ought to give for his farm, and if he settles amicably with his landlord, is not that a better settlement than going into the Land Court?—I think it a system of gross tyranny to introduce a poor ignorant man into a room among a lot of intelligent men, and allow them to badger him until he does not know what he is about.

1904. What evidence have you of badgering?—That of the tenant himself.

1905. Do you not think that if the landlord wants to settle with his tenant it is better to have a conference with him?—It is, but he should be allowed the assistance of a friend or valuator or somebody. They refuse to allow him to have a neighbour in with him; and I may tell you further that they take him at once, and without allowing a neighbour to see him at all, or allowing him to consult with anyone, into another room to sign the agreement.

1906. Is it not a fact that the livery companies do expend out of the gross rental of their estates much larger sums in the neighbourhood in which their estates are situated than private individuals do?—They do expend large sums in pursuance of their trust, but they rackrent the tenants and take the money out of their pockets and give it for public purposes, and then pose as benefactors of the country.

1907. You say they rackrent the tenants; what evidence is there of that; are you prepared to state that the rents exacted by the companies are so high that the tenants are obliged to give up?—To give up?

1908. Yes?—They are so high that the tenants are nearly all in arrear and unable to pay the rents, and at present a large number of them are to my own knowledge under ejectment for nonpayment of rent.

1909. Do you wish the Commission to understand that the tenants of the Irish livery companies' estates in the north of Ireland are more in arrear than the average of the tenants in other parts of Ireland?—They are very much more in arrear than on a great number of estates that I have personal knowledge of. I will take the estates of Lord Castlestuart and the Duke of Abercorn for instance.

1910. Will you answer my question to the best of your knowledge. Do you mean to convey to us that they are more in arrear, so far as you know, than the average of other parts of Ireland?—I can speak as of the Skinners' Company, and I say that they are as much if not more in arrear than the tenants on any estate I know of.

1911. Can you tell us whether the Skinners' estate is in arrear more than 12 months on the whole?—A great many of the tenants are much more than 12 months in arrear.

1912. Are you prepared to say that there is more than 12 months' rental owing on the Skinners' estate, taking it all over?—I cannot say that, I have not the return. I speak of cases that come within my own knowledge.

1913. Is it not a fact that there is not 12 months' rent owing on the Skinners' estate?—I do not know that as a fact as to the whole estate, but as to a large number of the tenants they are several years in arrear and utterly unable to pay.

1914. Then you are unable to say whether on the whole there is more than 12 months' arrear?—I know that there are a large number of substantial tenants who have other farms and other means of living, and who have paid out of their other means, but whose farms on the company's estates would not produce as much as would pay the rent and allow them a decent means of living.

1915. You are unable to answer my question as to whether the estate is more than 12 months in arrear?—I don't know whether that is a fact.

1916. (*Mr. Firth.*) Can you tell us whether the tenants would be prepared to accept a fair rent as the basis of purchase if such fair rent were fixed by the court?—Quite willing.

1917. And if the leases were broken and a fair rent fixed by the court would they accept that?—Certainly.

1918. I ask you that because I see in your evidence you say that the companies' estates "are now value for about 3,000,000*l*." and of that 2,000,000*l*. should "in justice be the property of the tenants"?—Certainly, there is no question about that at all, if justice were to be done, but the tenants hardly expect justice.

1919. You say some of these companies have sold their estates?—Yes.

1920. Do you suggest that the money which they have raised and are now using for other purposes should be brought back?—I certainly think the whole of the money should be brought back to Ireland in conformity with the trusts declared originally. I think it was a great breach of trust to bring the money to England at all.

1921. To what purposes do you suggest that this 160,000*l*. a year (or whatever the sum may be) should be applied if the estates were sold?—I would suggest that at least one fourth should be given to the county itself in reduction of county rates, as some recognition of a part of the value made by the tenants, and that the balance should be applied to public purposes generally.

1922. By which you mean, what?—As to the exact public purposes I will not undertake to say, but what I would suggest is this: if the provincial boards that we expect to have in Ireland, (a modified form of Home Rule), are established, that those moneys should be put into the hands of those boards as trustees for the public, with powers defined by an Act of Parliament, and limited to developing the resources of the country.

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1923. You say, "In accordance with the provisions of the charter," which provision is it that you say constitutes these moneys to be used for purposes of that kind?—The recitals in the beginning of the charter.

1924. That is as to reclamation?—Yes, as to both; educational, charitable, and religious purposes as well.

1925. That is what I wish to ask you; I would like you to draw my attention to that provision?—If you will kindly read the whole paragraph you will see it. I may just state this: the difficulty in fixing a particular trust is very great, because it is clear that at this time the King had the desire to benefit the country by all possible means.

1926. That is a difficulty as to which I wish to hear your explanation?—It is so wide that it is very difficult to fix any particular trust.

1927. Which words do you say form the general trust, as you call it?—"To establish the true religion " of Christ among men, hitherto depraved and almost " lost in superstition." That, I think, there is some difficulty about at present, because there are several sects in Ireland, and we might quarrel as to who would get hold of the money " *To strengthen, im-* " *prove, and cultivate by art and industry countries* " *and lands uncultivated and almost desert.*" That would be clearly an intention to reclaim waste lands in the north of Ireland.

1928. Surely those were the objects of the plantation articles?—Clearly.

1929. But those are not trusts which apply to the property resulting from it now; however, that is your answer?—That is my suggestion, and I think those trusts so far as they remain unperformed still attach to the property.

1930. (*Mr. James.*) Suppose that, owing to a series of bad seasons, or from other unforeseen circumstances, a tenant or any number of tenants were to prove unable to pay either their instalment or their interest, what course could the State adopt under such circumstances?—Sell the holding, by all means.

1931. You would sell it?—Certainly, it is available for the purposes of sale.

1932. You do not anticipate any difficulty in carrying out such an arrangement?—Not the slightest difficulty. If the fair rent is fixed it will leave a very large margin to the tenant. It is only the balance—the landlord's interest that will be purchased, and we reckon in the north of Ireland that even apart from the companies estates the half of the full value of the land is the tenant's. That is a general observation and certainly that would apply to the companies' estates with greater force than to the estates of private individuals.

1933. Supposing the value of the estate could not be realised, what, then, would happen in the event of the instalment and interest not being paid; that is to say, supposing the estate were put up to auction to be sold and the value of the estate could not be realised?—You refer to particular holdings?

1934. Yes, I refer to particular holdings?—If it could not be sold the money could not be realised.

1935. Who, then, would be the sufferer?—The State, clearly.

1936. Would not that be rather hard upon the State?—In connexion with that I would just point out that those tenants bear the character of the most industrious and hard-working people in the north of Ireland, and the most loyal; there is no discontent in the way of disloyalty amongst the tenants; they are industrious tenants, and they have borne the system of rackrenting so long that when they get fair rents they will be prepared to pay them, especially if they see a prospect of within 50 years being the absolute owners without further payment.

1937. Have any negotiations taken place with private individuals on the part of companies similar to those that took place in the case of the Clothworkers' Company?—The Salters' Company, I believe, had some negotiations.

1938. To whom did the Salters' Company dispose of their property?—They did not sell—there were some negotiations for a sale.

1939. Do you mean for a sale to tenants?—I thought you asked me whether there were negotiations for sale to private individuals.

1940. Are there negotiations for sale going on with the Salters' Company at the present time?—No.

1941. What were you referring to then?—Negotiations carried on between the Salters' Company and Mr. Adair for the purchase of the whole estate five or six years ago. The tenants wrote to Mr. Adair and put their position before him, and the purchase was not carried out.

1942. (*Mr. Alderman Cotton.*) Do we understand that you think the tenants should have the right of purchasing their holdings?—Certainly.

1943. And then do we also understand you to say that the tenants have no money so to purchase their holdings?—My idea is this, that if the sale is made to the tenants at all it must be made to all the tenants in order to make it a success, but to make that feasible it is necessary that the tenants should get all the money advanced, because a large portion of the tenants could not advance any portion of the purchase money.

1944. Then you did mean to tell the Commission that the tenants should be allowed to purchase property although they have no money to buy it with?—In instalments.

1945. But no money in hand?—No money in hand.

1946. Perhaps it is an Irish view of purchase, but you think it is right, as I understand, that a tenant should be allowed to purchase his land, the Government giving him three fourths, and then the company or the landlord finding the other fourth for him?—That is not an Irish view. I take that from the report of the House of Lords Committee, which is essentially an English body.

1947. You think that is the right way?—I do think that is the right way.

1948. Do you think that the landlords should be compelled to sell upon those terms?—Not a private landlord. I say these being trust estates, and the object being to improve the kingdom, and the system of occupying owners being one of the means in my opinion of improving the country, and it being a safe scheme to carry out, I believe the money should be advanced and repayment taken in instalments.

1949. It certainly is an easy method of purchasing property, is it not?—It certainly is. No other way would be feasible in the case. It is not like an ordinary case of purchase, because the tenant right means nearly the half, or the whole of the half, of the value.

1950. (*Sir Sydney Waterlow.*) Will you refer to paragraph 4 of your printed statement. You say, " The plantation of the companies' estates was carried " out with public moneys, specially raised from the " citizens of London for the purpose." Higher up you say, "It was levied through the convenient " agency of the livery companies, each of the twelve " principal companies raising 3,330*l.* odd"?—Yes.

1951. Is it not the fact that the companies themselves raised the money out of their own property, and did not levy upon the citizens at all?—Not at all. It was a tax upon the citizens. If you will be good enough to investigate the records of the period you will find that that is quite clear.

1952. Did not some of the companies sell their property, their plate, and something else for the purpose of raising this very money?—Whether the companies were unable to raise the whole of the tax or not I cannot say, but I know that they imposed a tax upon the citizens for this purpose, and I believe they sold their plate to pay a fine imposed on them for breach of " The Articles of Plantation."

1953. Do you mean seriously to tell the Commission that the public companies at that time had the power to tax the citizens, and that they did tax them for the purpose of raising that money?—The Corporation of London taxed them.

1954. Can you tell me when the Corporation of London ever had the power to levy public taxes in

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London ?—At that time they had the power, or the records of the period are not accurate. There was an order issued by the King in Privy Council to raise the money, and in pursuance of that order the Corporation and companies levied the tax.

1955. Did not each company contribute their share out of their own funds ?—No.

The following printed statement was supplied by this witness.

1. The London companies became connected with the county of Derry in the beginning of the 17th century, through the scheme of King James I., known as the Plantation of Ulster. The scheme was devised on the confiscation of the estates of the Ulster Earls, with the view of bringing peace and prosperity to Ireland, by colonizing Ulster with loyal English and Scotch settlers. During the previous century the cost of governing Ireland had been about 26,000*l.* yearly, while the annual revenue derived by the Crown from that kingdom was only 6,000*l.* The object of the Crown in the plantation scheme was to save the nation from the vast expense and trouble that Ireland had caused it in the preceding century.

2. As soon as it became known that the King intended to plant the escheated lands with English and Scotch settlers, a vast number of adventurers applied for grants. But the King expressly refused to allot the lands to any except such as were, in his own words, " of sufficient merit and ability " to carry out the public objects he had in view. To prevent any misunderstanding he issued, in the year 1608, a State paper entitled a " collection of such orders and conditions as are to be " observed by the undertakers upon the distribution " and plantation of the escheated lands in Ulster." These orders and conditions, popularly known as the "Articles of Plantation," together with the various other public declarations of the King and Privy Council on the subject of the plantation, are the bases and limits of the title by which the companies hold their Irish estates.

3. The King proposed to the London Corporation to undertake the plantation of a portion of the escheated lands. At first the Corporation refused, but after considerable negotiations they agreed to the King's suggestion. A Committee of the Corporation, afterwards known as the Irish Society, was appointed, a survey and report obtained, and the plantation of the co. of Londonderry undertaken. The substance of the negotiations between the King and the Common Council of the City of London is given in a book entitled " A " concise view of the Irish Society," published by order of the Society in the year 1822. During the negotiations the King and Privy Council sent an official document to the Corporation setting forth " motives and reasons to " induce the City of London to undertake the plantation " in the north of Ireland," and " a statement of the pro- " fits which London shall receive of this plantation," which are given at length in the report of the Skinners' Company against the Irish Society. No reference is made in these reasons to any revenue to be derived by the Corporation in the way of rents from the Irish lands. The document deals exclusively with the public good to be derived from the settlement and the advantages to the City of London to be anticipated from bringing within the control of the City the valuable fishings, and extensive woods, and various articles of produce of the north of Ireland. The " Motives and Reasons " and the " Statement of Profits " are given in the Appendix.

4. The money required to effect the settlement of co. Derry was not taken from the funds of the Corporation or of the companies. The required sum of 40,000*l.* was raised by means of a special tax assessed on the citizens of London. The tax was heavy, and was raised with considerable difficulty. It was levied through the convenient agency of the livery companies, each of the 12 principal companies raising 3,330*l.* odd. From the negotiations between the King and Privy Council on the one hand, and the London Corporation and companies on the other, and from the various public records of the period and the subsequent dealings of the Crown with the Irish Society and the companies, it seems manifest that (1) the plantation of the companies' estates was carried out with public moneys, specially raised from the citizens of London for the purpose ; (2) that it was undertaken reluctantly at the request of the King and not by the desire of the Corporation or the companies ; (3) that the estates were granted to the Irish Society and the London companies not for their corporate or private benefit, but as trustees for the purpose of carrying out the plantation scheme ; (4) that the intention was to give such advantages to the settlers as would induce them to invest their capital in the soil, and so develop its resources and ensure the peace and prosperity of the province. This is shown even by the charter granted in the year 1613 to the Irish Society, which is the root of these companies' title to their estates. In the introduction to the charter the King states that—

" Whereas the greater part of six counties in the province of Ulster, within the realm of Ireland, named Armagh, Tyrone, Coleraine, Donegal, Fermanagh, and Cavan, being escheated and come to the Crown, hath lately been surveyed, and the survey thereof transmitted and presented unto his Majesty, upon view whereof *his Majesty, of his princely bounty, not respecting his own profit, but the public peace and welfare of that kingdom, by the civil plantation of those unreformed and waste countries, is graciously pleased to distribute the said lands to such of his subjects, as well of Great Britain as of Ireland, as being of merit and ability, shall seek the same, with a mind not only to benefit themselves, but to do service to the Crown and commonwealth ;* and, forasmuch as many persons being ignorant of the conditions whereupon his Majesty is pleased to grant the said lands, are importunate suitors for greater portions than they are able to plant, intending their private profit only, and not the advancement of the public service, it is thought convenient to declare and publish to all his Majesty's subjects the several quantities of the proportions which shall be distributed, the several sorts of undertakers, manner of allotment, the estates, the rents, the tenures, with other articles to be observed, as well on his Majesty's behalf, as on the behalf of the undertakers, in manner and form following."[*]

In the introduction to the charter granted to the Irish Society, in the year 1613, when the whole county of Derry was placed under the proprietorship of the London companies, both the social and civil condition of the county and the public objects of the plantation are still more explicitly declared. In this royal grant his Majesty says —" Whereas there can be nothing " more kingly than to establish the true religion of " Christ among men, hitherto depraved, and almost " lost in superstition ; *to strengthen, improve, and " cultivate by art and industry, countries and lands un- " cultivated and almost desert ;* and the same not " only to plant with honest citizens and inhabitants, " but also to renovate and strengthen them with good " statutes and ordinances, whereby they might be more " safely defended, not only from the corruption of their " morals, but from their intestine and domestic plots, " conspiracies, and also from foreign violence. And " whereas the province of Ulster, in our realm of " Ireland, for many years now past, hath grossly erred " from the true religion of Christ and divine grace, " and hath abounded with superstitution, inasmuch " that, for a long time, it hath not only been harassed, " torn, and wasted, by private and domestic broils, but " also by foreign arms ; we, deeply and heartily com- " miserating the wretched state of the said province, " have esteemed it to be a work worthy of a Christian " prince, and of our royal functions, to stir up and " recall the same province from superstition, rebellion, " calamity, and poverty, which, heretofore, have hor- " ribly raged therein, to religion, obedience, strength, " and prosperity."[†]

5. The Irish Society and the London companies were sequestrated in 1630 for breaches of the Articles of Plantation, and in 1637 the charter to the Irish Society was revoked and the grant to the companies cancelled, in pursuance of a judgment of the Star Chamber declaring the charter and grants void. The society and companies had by this time discovered how valuable the estates could be made, and offered the King 100,000*l.* for a grant of the estates freed and discharged from the Articles of Plantation. This offer was refused. In 1650, however, Charles II. gave a new charter to the Irish Society, and the society regranted their proportions to the companies, *but subject to all the original articles and conditions.*

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[*] Harris's Hibernica, Part I., p. 63. Appendix to the Skinners' Appeal to the House of Lords (decided in 1846), p. 31. Irish Society's Answer (Appendix), pp. 146, 147, *et seq.*

[†] Skinners' Appendix, p. 97. Irish Society's ditto, p. 217, *et seq.*

6. After the second grant, the vigilance of the Crown seems to have been considerably relaxed, for from that time up to the present the companies have ignored the greater part of the Articles of Plantation with impunity, and have carried out the purposes of the plantation to a limited extent only. Immediately after the lands were restored to them by Charles II. the whole of the companies leased their proportions to middlemen, in whose hands they continued up till recently. In only two instances, I believe, did the lessees enter into a covenant to observe the Articles of Plantation, and in no case have the companies insisted on their observance. The result has been shown by the Rev. G. V. Sampson, agent of the Fishmongers' Company, in his statistical survey of the county of Londonderry, published in 1814, and by Mr. Slade, Secretary to the Irish Society, in his report of the state of the plantation published in 1802. Mr. Slade's report is as follows:—"But if the measures recommended are likely to promote the original object of the charter, *that of encouraging a Protestant colony in the north of Ireland*, the nation at large has a right to demand, and the Protestant tenants a right to expect from the society's justice, that every endeavour will be exerted to improve their condition, and make them participate in the benefits of the union which has recently taken place between the two countries. If such an impression as this could once be made on the minds of the Irish it would put a stop to that emigration which a contrary conduct, particularly an excessive rise of rent, has frequently occasioned. This leads me to question the policy, I might say the justice of the city companies, in letting their lands on payment of heavy fines, without stipulating for the performance of the relative duties between landlord and tenant. In the instance of the company to which I myself belong, the Ironmongers', I have discovered on inquiry since my return, that in the year 1767 they let their estate for 61 years and three lives, on payment of a fine of 21,000*l*. to a gentleman who had acquired a large fortune in India, but who, as far as I could learn, has never seen any part of the company's estates. The Irishman who cultivates the soil might with justice observe that he derives no protection from such a line of conduct, and if he were informed that the sum subscribed by all the companies together in the reign of king James amounted only to 40,000*l*., and the Ironmongers and their associates' proportion of that sum only to 3,334*l*., he could not be charged with ingratitude if he appeared to feel no obligation to his landlords in *subjecting him to a rent far beyond what can possibly be derived from the product of the soil, and which can be only paid out of the profits of his loom.*"

Mr. Samson, among other things, says, "This county is rather unfavourably circumstanced. Several of the principal proprietors are absentees. Were it not for the gentlemen of the linen business, and others whose names occur as residents . . . There would be little occasion for the following query, viz., circulation of money or paper."

7. In the State paper, entitled "Motives and Reasons for inducing the City of London to undertake the Plantation in the North of Ireland," the king, after describing the extent of the co. Derry, and defining the common lands that were to be laid rent free to the city of Derry and the town of Coleraine, adds, "The rest to be planted with such undertakers as the city of London shall think good for their best profit, paying only for the same the easy rent of the undertakers." These easy rents are defined by the Articles of Plantation as 6*s*. 8*d*. for every 60 acres English, or 1⅓*d*. per acre, and are thus held out as a special inducement to colonization. 3,210 statute acres was the quantity of land each company undertook to plant. This was 38,520 acres in all, and this, with the 7,000 acres given the city of Derry, and town of Coleraine, and the waste lands adjoining the several proportions, was all the King intended granting to the society and the companies. As it turned out, however, by some mistake, 90,000 acres, in addition to the waste lands, were obtained. For 38,520 acres only, the companies pay the Crown rent of 5*l*. 6*s*. 8*d*. per 1,000 acres, though 90,000 acres, in addition to bogs, mountains, and waste, were granted them. The area of these waste lands was in round numbers 173,700 statute acres, so that the lands held originally by the society and the 12 companies comprised altogether 263,700 statute acres.

8. After the plantation of the county was undertaken each company built a castle, with a bawn attached, and it is believed assisted a few of the first settlers in building houses around the castles, in such a manner as to furnish a garrison and provide outworks for its defence; but the buildings thus erected by the companies would not be value for more than 1,000*l*. yearly. From the middle of the 17th century, when the estates were leased to middlemen up till recently, when they resumed possession of the estates, the companies do not seem to have spent a single penny in forwarding the work of the plantation. During the reign of the middlemen no assistance whatever was given the tenants in the reclamation or improvement of the estates. Since the estates came into the hands of the companies some of them have advanced money to the tenants to assist them in building and draining, but the sums advanced in this way would not amount in all to more than 15,000*l*. or 20,000*l*., and nearly the whole of this was advanced by way of loan, the tenants paying in some cases 4, and in others 5 per cent. on the amount borrowed. The county roads are made and maintained out of the county cess, all of which is paid by the occupying tenants. The farm roads on the companies' estates have, with a few exceptions barely worth mentioning, been made at the sole expense of the tenants. The farm houses, farm buildings, and all drains and fences on the various holdings on the companies' estates, have been made by the occupying tenants without any assistance, except what has been already mentioned. The tenants on the companies' estates, since the time of the plantation, have reclaimed at their own expense 130,000 acres of waste lands. By their own labour and expenditure they have increased the annual value of the estates from 1,800*l*. a year, which is the estimated value of the society's and companies' estates in 1609, to 160,000*l*., which is, in round numbers, the present rental of the estates. During this whole period they have been paying the full value of their holdings, though the greater part of that value was created by their own expenditure. Between buildings, roads, drains, fences, and reclamation the tenants have sunk in permanent improvements at least 10*l*. per acre for every acre of arable land on the estates, or upward of 2,000,000*l*. in all. Five per cent. on this would be 100,000*l*. per annum. The present tenement valuation is now about 136,000*l*., and the present rental is nearly 160,000*l*. Assuming that what was worth 1,800*l*. a year in 1609 would, by reason of the companies' expenditure and the change in the value of money now be worth 60,000*l*. a year, the tenants are paying, in the shape of rent, interest at 5 per cent. on their own expenditure, and as the money expended on these improvements has barely yielded a return of 5 per cent. (agricultural improvements in the north of Ireland seldom increase the letting value of lands to the extent of 5 per cent. on the expenditure), it is clear the tenants have been paying rent on the whole increased value, and have not been recouped in any way for their outlay. The companies' estates, after allowing for all necessary outgoings, are now value for about 3,000,000*l*. Of this at least two thirds have been created by, and should in justice be, the property of the tenants, and under the Land Law (Ireland) Act, 1881, it would be theirs in point of law if the Act were fully and fearlessly administered.

9. The following tables show the valuations and rents of the companies' estates at various periods:—

VALUATIONS.

Year.	Amount. £
1609	1,800
1697	9,150
1758	20,000
1858	131,000
1882	136,000

RENTS.

1635	2,190
1727	8,000
1868	124,000
1882	160,000

10. The companies resumed possession of their estates during the present century as the leases to the middlemen expired; as soon as they got possession they had the estates re-valued, and in most instances *raised the rents, though the middlemen had previously, as Mr. Slade states, imposed rents on the tenants "far beyond what could possibly be derived from the product of the soil,"* the rents being paid out of the profits of the loom. The Skinners' Company raised the rental by about 2,000*l*. a year over what the middleman, Mr. Ogilby, had been receiving. The rental of

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this estate was 5,000*l.* a year in 1803, and in that year Mr. Robert Ogilby paid the company a fine of 25,000*l.* for a lease of three lives and 61 years, subject to a rent of 1,500*l.* a year. Mr. Ogilby had entered into a covenant to observe the Articles of Plantation, but immediately he got his lease in 1803 he raised the rental to 16,000*l.* yearly. When prices fell on the termination of Napoleon's wars, the tenants were unable to pay these rents, and Mr. Ogilby was obliged to reduce the rental to 13,000*l.*; it was again reduced at the time of the Famine to 11,800*l.* When the lease expired in 1872, the company resumed possession and again raised the rental to upwards of 13,000*l.*, neither the company nor the middleman, in the meantime, having spent a shilling in improving the property.

The Fishmongers' estate was held by the Beresford family, who paid the company a rent of 400*l.* yearly, and exacted 2,000*l.* a year from the tenants. The last lease to the Earl of Tyrone expired in 1820; the company then resumed possession, re-valued the estate, and raised the rental to nearly 10,000*l.* a year. The tenants who had improved most were subjected to the largest increases, some being raised as much as 1,000 per cent. on the rent payable to the middleman. I have the receipts of one holding the rent of which was 8*l.* 15*s.* 6*d.* in 1820, and is now 66*l.*; and in another case, the rent was raised from 7*l.* 10*s.* to 75*l.* yearly. In these cases the greater part of the holdings was drained and reclaimed by the tenants, and all buildings and fences erected by them—neither company nor middleman contributing anything to the expense. Similar examples of increases of rent charged on tenants' improvements will be found on any of the companies' estates.

11. It is clear that the companies have violated the Articles of Plantation, and have hindered, instead of assisted, the development of the resources of the county, and that the only way of securing to the tenants the fruits of their own industry, and to ensure the full development of the estates, is to convert the occupiers into absolute owners of their own holdings. The tenants are intelligent, thrifty, and industrious; they have special rights under the Articles of Plantation, and are entitled to special consideration by reason of the vast amount of capital they have sunk in the improvement of their holdings. No difficulties can arise in the transfer as the estates are not subject to any charges or incumbrances. The companies estates therefore present the best possible opportunity for increasing the number of occupying proprietors in Ireland.

As a large part of the rental is charged on the tenant's improvements, there is considerable difficulty in ascertaining what would be a fair price to be paid by the tenants until fair rents be fixed. I know, however, that the tenants would be willing to adopt any scheme which would even partially recognise their claims, and would enable them to become owners of their holdings on reasonable terms. In my opinion the Government valuation of the land, exclusive of houses, would be the proper basis on which to fix the amount of the purchase money; and though by the scheme I propose, the tenant would, in many cases, be purchasing part of his own improvements, I am satisfied that, for the purpose of becoming independent of future interference, the tenants would, in a body, be willing to pay from 17 to 20 years' purchase of the Government valuation of the land. They are, however, so impoverished by rackrenting and bad seasons, that not more than a fourth of them could pay any portion of the purchase money in hand; and in order to make a purchase by the tenants feasible at all, it would be absolutely necessary that the whole of the purchase money should be advanced to them. Under the Act of 1881 the land commission have power to advance three fourths of the purchase money to the tenants, and the tenants entertain the hope that Parliament will shortly empower the commission to make the advance repayable by fifty-two yearly instalments of 3¾ per cent. on the amount of the loan. In my opinion, the companies should leave out the remaining fourth on the same terms. Considering the amount of money the tenants have invested in their holdings, and their character as thrifty, industrious, and law-abiding people, I am of opinion that that both the Government and the companies would be perfectly safe in lending the tenants the whole of the purchase money, and that the tenants would be able to pay the instalments suggested without difficulty.

12. The disposition of the purchase money is a matter of the last importance. There can, I think, be little doubt that the companies are not private owners, but trustees of these estates for public purposes. The Articles of Plantation, the Charter of the Irish Society, the declarations of King James and his Privy Council, the interference of the Crown with the companies' estates, the cancelling by the Star Chamber of the grants to the companies for breaches of "The Articles of Plantation," and the judgment of the House of Lords in the case of the Skinners' Company against the Irish Society, all point unerringly to this conclusion. They point with equal force to the conclusion that the purposes of the trust are purely local. The Irish Society and the companies have all along recognised this fact. It has been judicially declared that the Society's estates are held for the benefit of public of the locality. The companies derive their title through the Irish Society, and so far as can be seen, hold their estate subject to the same trusts. Since the estates have come into the hands of the companies, they have themselves recognised the trusts by expending a considerable portion of their rental on charitable, religious, and educational objects, and in the relief of the poor on their estates. The Grocers' Company, for example, whose estate was sold several years ago, still recognise the public claims on the purchase money by continuing their contributions towards local, religious, educational, and public purposes. The Clothworkers' Company sold their estate in 1871 to Sir Hervey Bruce, but they charged the property with 50*l.* yearly to the Castlerock, and 50*l.* yearly to the Fermoyle Episcopal Churches, and in lieu of an annual contribution, they gave 1,000*l.* out of the purchase money to the Coleraine Town Commissioners in trust for the Coleraine Academical Institution. They left out 75,000*l.* of the purchase money on a mortgage of the estate. On this Sir Hervey Bruce was to pay 4 per cent. interest; but to enable Sir Hervey to give suitable contributions for educational and charitable purposes connected with the estate, as I am informed, they made an abatement of half the interest or 1,500*l.* a year. Of this 1,500*l.*, however, Sir Hervey, up to the present, so far as I can discover, has given only about 150*l.* a year for the purposes intended.

But the county has a further claim on the purchase money, on the ground that it was the labour and capital of the tenants that raised the estates to their present value, and that any application of the fruits of their industry and thrift to purposes in which they had no interest would be unjustifiable. As already stated, the lands were to be let to English and Scottish settlers in accordance with "The Articles of Plantation" at 6*s.* 8*d.* for every 60 acres, statute measure. It would appear from the "Articles of Plantation," and from the "Statement of Profits to be derived from the "Plantation by the City of London," that no increase of this rent was contemplated. This view is strengthened when we remember that manors were created on all the estates on which there grew up the tenant's right of renewal, referred to in pages 107, 128, and 135 of the Concise View published in 1822. The violation by the companies of this right of removal at the rent fixed by the Articles, and their failure to perform these Articles, and the conditions of their trust are adequate reasons now, as in the time of Charles I., for the interference of the State, apart altogether from the facts that the companies are corporate bodies and non-resident, which furnish additional reasons for State interference. And once that point is established, it seems to be clear the proceeds of the sale should be devoted to public purposes in Ireland, and that care should be taken that the tenants should be secured the right of pre-emption on such terms as would do justice to the claims created by the toil and capital of themselves and their predecessors.

I would suggest that at least a fourth of the purchase money should be applied in reduction of the county rates, and that the remainder should be applied to public purposes, and in the development of the natural resources of the county and district, in the benefits of which the whole of the inhabitants of the county, and of a good part of the Province of Ulster, would participate.

MOTIVES and REASONS to induce the CITY of LONDON to undertake the PLANTATION in the NORTH of IRELAND.

"The late ruinated city of Derry, situated upon the river of Lough Foyle, navigable with good vessels above the Derry, and one other place at or near the castle of Coleraine, situate upon the river of Bann, navigable with small vessels only, by reason of the bar a little above Coleraine, do seem to be the fittest places for the City of London to plant.

"The situation is such, that with small charge and

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industry, the aforesaid places, especially Derry, may be made by land almost impregnable, and so will more easily afford safety and security to those that shall be sent thither to inhabit.

"These towns His Majesty may be pleased to grant unto not only corporations, with such liberties and privileges for their good government, &c. as shall be convenient, but also the whole territory and county betwixt them, which is above 20 miles in length, bounded by the sea on the north, the river Bann on the east, and the river of Derry or Lough Foyle on the west, out of which 1,000 acres more may be allotted to each of the towns for their commons rent free; *the rest to be planted with such undertakers as the City of London shall think good for their best profit, paying only for the same the easy rent of the undertakers.*

"His Majesty may be pleased to grant to these towns the benefit of all the customs of all goods to be imported hither, or exported thence, as well poundage and tonnage as the great and small customs, for 21 years, paying yearly 6*s.* 8*d.* as an acknowledgment.

"Furthermore, that His Majesty will be pleased to buy from the possessors the salmon fishing of the rivers of Bann and Lough Foyle, and out of his princely bounty to bestow the same upon those towns (for their better encouragement), which some years proveth very plentiful and profitable.

"And likewise to grant them licenses to transport all prohibited wares growing upon their own lands.

"And likewise the Admiralty in the coasts of Tyrconnel and Coleraine now, as is supposed, in the Lord Deputy by the Lord Admiral's grant, may be, by His Majesty's means, transferred unto them for the term of 21 years.

The Land Commodities which the North of Ireland produceth.

"The country is well watered, generally by abundance of springs, brooks, and rivers, and plenty of fuel, either by means of wood, or where that is wanting, of good and wholesome turf.

"It yieldeth store of all necessary for man's sustenance, in such measure as may not only maintain itself, but also furnish the City of London yearly with manifold provision, especially for their fleets, namely, with beef, pork, fish, rye, bere, peas, and beans, which will also in some years help the dearth of the city and country about, and the storehouses appointed for the relief of the poor.

"As it is fit for all sorts of husbandry, so for breeding of mares and increase of cattle it doth excel, whence may be expected plenty of butter, cheese, hides, and tallow.

"English sheep will breed abundantly in Ireland. The sea coast and nature of the soil being very wholesome for them, and if need were, wool might be had cheaply and plentifully out of the west parts of Scotland.

"It is held to be good in many places for madder, hops, and woad.

"It affordeth fells of all sort in great quantity, red deer, foxes, sheep, lambs, rabbits, martins, squirrels, &c.

"Hemp and flax do more naturally grow there than elsewhere, which, being well regarded, might give great provision for canvas, cable cording, and such like requisite for shipping, besides thread, linen, cloth, and all stuffs made of linen yarn, which is more fine and plentiful there than in all the rest of the kingdom.

Materials for building, timber, stone of all sorts, lime, stone, slate and shingle, are afforded in most parts of the country, and the soil is good for brick and tile.

"Materials for building of ships (excepting tar) are there to be had in plenty; and in the country adjoining, the goodliest and largest timber in the woods of Glanconkene, and Killetroughe, that may be, and may compare with any in His Majesty's dominions, which may easily be brought to the sea by Lough Neagh and the river of the Bann. The fir masts, of all sorts, may be had out of Lochabar, in Scotland, not far distant from the north of Ireland, much more easily than from Norway; other sorts of wood do afford many services for pipe staves, hogshead staves, barrel staves, hoop staves, clapboard staves, wainscot, soap, and dyeing ashes, glass and iron work, for iron and copper ore are there plentifully had.

"The country is very plentiful for honey and wax."

The Sea and River Commodities.

"First. The harbour of the river of Derry is exceedingly good, and the road of Portrush and Lough Swilly, not far distant from the Derry, tolerable.

"The sea fishing of that coast very plentiful of all manner of usual sea fish, especially herrings and eels, there being yearly, after Michaelmas, for taking of herrings about seven or eight score sail of his Majesty's subjects, and strangers for lading, besides an infinite number of boats for fishing and killing.

"Great and profitable fishing are in the next adjacent isles of Scotland, where many Hollanders do fish all the summer season, and do plentifully vend their fish in Spain and within the Straits.

"Much train or fish oil of seal, herrings, &c., may be made upon that coast.

"As the sea yieldeth very great plenty and variety of the sea fish, so doth the coast afford abundance of all manner of sea foul, and the rivers greater store of fresh fish than any of the rivers in England.

"There be also some store of good pearls upon this coast, especially within the river of Lough Foyle.

"The coasts be ready for traffic with England and Scotland, and for supply of provision from or to them, and do lie open and convenient for Spain and the Straits, and fittest and nearest for Newfoundland."

The Profits which London shall receive by this Plantation.

"If multitudes of men were employed proportionably to these commodities which might be there by industry attained, many thousands would be set on work to the great service of the King, strength of his realm, advancement of several trades, and benefit of particular persons whom the infinite increasing greatness (that often doth minister occasion of ruin to itself) of this city might not only conveniently spare, but also reap a singular commodity, by easing themselves of an insupportable burthen, which so surcharged all the parts of the city, that one tradesman can scarce live by another, which in all probability would be a means also and preserve the city from infection; and by consequence the whole kingdom, which, of necessity, must have recourse thither, which persons, pestered or closed up together, can neither otherwise or very hardly avoid.

"These colonies may be a means to utter infinite commodities from London, to furnish the whole north of Ireland, which may be transported by means of the rivers of Bann and Lough into the counties of Coleraine, Donegal, Tyrone, Armagh, and Antrim.

"The city of Dublin, being desolate by the slaughter of the easterlings, who were the ancient inhabitants thereof, was given by King Henry the Second to the city of Bristol, to be inhabited, which, without any charge to the King, Bristol did undertake, and performed it, whose posterity doth there continue unto this day. This plantation thus performed to the perpetual commendation of Bristol, was not the least cause of civilizing and securing that part of the country.

"It were to be wished this noble precedent were followed by the city of London in these times, with so much the more alacrity, as inability and means they excel them, and so much the rather for that the commodities which the city of London shall reap thereby do far surpass the profit that could redound to Bristol by the other.

Orders and Conditions or Articles of Plantation.

"First. The proportion of land to be distributed to undertakers shall be of three different qualities, consisting of sundry parcels or precincts of land, called by Irish names, used and known in the several counties, viz.: Balibetagh's Quarters, Balliboes Fathes and Polls. The first and least proportion to contain such and so many of the said parcels as shall make up 1,000 English acres at least, and the second or middle proportions to contain such, or so many of the said parcels as shall make up 1,500 English acres at the least, and the last or greatest proportion to contain such or so many of the said parcels as shall make up 2,000 English acres at the least, to every of which proportion shall be allowed such quantity of bog or wood as the country shall conveniently afford.

"Second. The persons of the undertakers of the several proportions shall be of three sorts, viz., 1st. English or Scottish, as well servitors as others, who are to plant their portions with English, or inland Scottish inhabitants; 2nd. servitors in the kingdom of Ireland, who may take mere Irish, English, or inland Scottish tenants, at their choice; 3rd. natives of Ireland, who are to be made freeholders.

"Third. His Majesty will reserve unto himself the appointment in what county every undertaker shall have his portion. But to avoid emulation and contro-

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versy, which would arise among them if every man should choose the place where he would be planted, his Majesty's pleasure is, that the scites or places of their portions in every county shall be distributed by lot.

"Lastly. The several articles ensuing are to be observed as well on his Majesty's behalf as of the several undertakers respectively."

(1) "ARTICLES concerning the English and Scottish undertakers who are to plant their portions with English and inland Scottish tenants:—

"First. His Majesty is pleased to grant estates in fee farm to them and their heirs.

"Second. They shall yearly yield unto his Majesty, for every proportion of 1,000 acres, 5*l.* 6*s.* 8*d.* English, and so rateably for the greater proportions, which is after the rate of 6*s.* 8*d.* for every 60 English acres. But none of the said undertakers shall pay any rent until the expiration of the first two years, except the natives of Ireland who are not subject to the charge of transportation.

"Third. Every undertaker of so much land as shall amount to the greatest proportion of 2,000 acres or thereabouts, shall hold the same by knight's service *in capite*, and every undertaker of so much land as shall amount to the middle proportion of 1,500 acres, or thereabouts, shall hold the same by knight service as of the castle of Dublin, and every undertaker of so much land as shall amount to the least proportion of 1,000 acres, or thereabouts, shall hold the same in common soccage, and there shall be no wardship upon the two first descents of that land.

"Fourth. Every undertaker of the greatest proportion of 2,000 acres shall, within two years after the date of his letters patent, build thereupon a castle with a strong court or bawn about it, and every undertaker of the second or middle proportion of 1,500 acres shall, within the same time, build a stone or brick house thereupon, with a strong court or bawn about it, and every undertaker of the least proportion of 1,000 acres shall, within the same time, make thereupon a strong court or bawn at least. And all the said undertakers shall draw their tenants to build houses for themselves and their families near the principal castle, house, or bawn, for their mutual defence and strength, and they shall have sufficient timber, but the assignment of such officers as the Lord Deputy and Council of Ireland shall appoint, out of His Majesty's woods in that province for the same buildings, without paying anything for the same during the said two years, and to that end there shall be a present inhibition to restrain the felling or destruction of the said woods in the meantime for what cause soever.

"Fifth. The said undertakers, their heirs and assigns, shall have ready in their houses at all times, a convenient store of arms, wherewith they may furnish a competent number of able men for their defence, which may be viewed and mustered every half year, according to the manner of England.

"Sixth. Every of the said undertakers, English or Scottish, before the ensealing of his letters patent, shall take the Oath of Supremacy, either in the Chancery of England or Ireland, or before the commissioners to be appointed for establishing of the plantation, and shall also conform themselves in religion according to His Majesty's laws.

"Seventh. The undertakers, their heirs and assigns, shall not alien or demise their portions, or any part thereof, to the mere Irish, or to such persons as will not take the oath, which the said undertakers are bound to take, by the former Article, and to that end a proviso shall be inserted in their letters patent.

"Eighth. Every undertaker shall, within two years after the date of his letters patent, plant or place a competent number of English or inland Scottish tenants upon his proportion, in such manner as by the commissioner to be appointed for the establishment of this plantation, shall be prescribed.

"Ninth. Every of the said undertakers, for the space of five years next after the date of his letters patent, shall be resident in person himself upon his portion, or place some such other person thereupon, as shall be allowed by the State of England or Ireland, who shall be likewise resident there during the said five years, unless by reason of sicknes or other important cause, he be licensed by the Lord Deputy and Counsel of Ireland to absent himself for a time.

"Tenth. The said undertakers shall not alien their portions during five years next after the date of their letters patent, but in this manner, viz.:—one third part in fee farm, another third part for forty years or under, reserving to themselves the other third part without alienation during the said five years; but after the said five years they shall be at liberty to alien to all persons, except the mere Irish and such persons as will not take the oath which the said undertakers are to take as aforesaid.

"Eleventh. The said undertakers shall have power to erect manors, to hold courts baron twice every year to create tenures; to hold of themselves upon alienation of any part of their said portions, so as the same do not exceed the moiety thereof.

"Twelfth. The said undertakers shall not demise any part of their lands at will only, but shall make certain estates for years, for life, in tail, or in fee simple.

"Thirteenth. No uncertain rent shall be reserved by the said undertakers, but the same shall be expressly set down, without reference to the custom of the country; and a proviso shall be inserted in their letters patent against cuttings, cosheries, and other Irish exactions upon their tenants.

"Fourteenth. The said undertakers, their heirs and assigns, during the space of seven years next ensuing, shall have power to transport all commodities growing upon their own lands, which they shall hold by those letters patent, without paying any custom or imposition for the same.

"Fifteenth. It shall be lawful for the said undertakers for the space of five years next ensuing, to send for and bring into Ireland, out of Great Britain, victual and utensils for their household materials, and tools for building and husbandry, and cattle to stock and manure the lands aforesaid, without paying any custom for the same, which shall not extend to any commodities by way of merchandise.

CERTAIN GENERAL PROPOSITIONS to be notified to the UNDERTAKERS of all sorts.

"First. That there shall be commissioners appointed for the setting forth of the several proportions, and for the ordering and settling of the plantation, according to such instructions as shall be given unto them by His Majesty in that behalf.

"Second. That all the said undertakers shall, by themselves, or by such as the estates of England or Ireland shall allow of, attend the said commissioners in Ireland, at or before midsummer next, to receive such directions touching their plantations as shall be thought fit.

"Third. That every undertaker before the ensealing of his letters patent shall enter into bond or recognisance with good sureties to his Majesty's use in the office of his Majesty's chief remembrancer in England or Ireland, or in his Majesty's Exchequer or Chancery in Scotland, or else before two of the Commissioners to be appointed for the plantation, to perform the aforesaid Articles according to their several distinctions of building, planting, residence, alienation, within five years, and making of certain estates to their tenants in this manner, viz., the undertaker of the greatest proportion to become bound in 400*l.*, of the middle proportion in 300*l.*, and of the least proportion in 200*l.*

"Fourth. That in every of the said counties there shall be a convenient number of market towns and corporations erected for the habitation and settling of tradesmen and artificers, and that there shall be one free school at least appointed in every county for the education of youth in learning and religion.

"Fifth. That there shall be a convenient number of parishes and parish churches, with sufficient incumbents in every county, and that the parishioners shall pay all their tithes in kind, to the incumbents of the said parish churches.

1956. (*Chairman to Rev. W. McKay.*) We shall be very glad to hear what you have to state to the Commission; I think you represent the tenants of the Ironmongers' Company?—(2) I do. What I have got to say will be very brief. My evidence is printed, and what has been said by Dr. Todd holds good. In regard to the tenantry on the Ironmongers' estate, they would be desirous to become owners of their holdings if they could do so on favourable terms. Only a few of them would be able to provide the fourth in addition to the three fourths supplied by the Government; we have been enter-

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(1) *See* Ironmongers' Statement, p. 353; Skinners' Historical Account, p. 359.

(2) *See* evidence of Ironmongers' Deputation, p. 345; Ironmongers' Statement, p. 353.

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taining the hope that the company (which I think is disposed to sell, I mean the Ironmongers' Company) may perhaps supply the other fourth to the tenants, who would be unable to get it within themselves, receiving interest on the same terms (or on such terms as might be fixed) as the Government.

1957. That is to say, you would spread the payment over 40 or 50 years ?—A period of 40 or 50 years on this fourth, that would be wanting.

1958. And in the event of these tenants (who Mr. Todd has told us are many of them so poor that they cannot find even one fourth or one fifth of the purchase money), or in the event of some of them, being unable to keep up the annual payments, what would happen then ?—In that case I suppose there must be a sale of the farm, but I should think that the cases would be few and far between, speaking from what little experience I have of the tenants who purchased on the Waterford estate. A goodly number of the tenants on the Waterford estate are members of my congregation; and from my experience not a single farm yet has been sold. There are two or three farms, I think, which must be sold, but the tenants of those farms were deeply in debt before the purchase. Each year that they pay the interest upon the money the property becomes of so much more value. 35 years would dispose of the whole of the Government advance of two thirds.

1959. Then I suppose that none of those tenants that you refer to are much in arrear now ?—I do not think that many of the tenants on the Ironmongers' estate are in arrear. A few of them are, owing to the very bad seasons we have had of late. We had very unfavourable seasons, which no doubt your Lordship is aware of, and in consequence of that many of the tenants were not able to pay their rents as usual; but still I would like to think that it is not very general.

1960. That they are in arrear, you mean ?—Not generally, I should think.

1961. And at the same time they were unable to contribute the smallest per-centage to the purchase money of the farms which they wish to hold ?—Many of the tenants that had a little saved have, during the last four or five years, had to draw upon it to pay the rents. Four or five years ago there was far more money among the tenants than at the present moment. It has been used up in consequence of the bad seasons.

1962. Is it not a common thing in all countries for a man who wishes to buy an estate and has capital only to buy say one half of it to obtain the other half on mortgage ?—I daresay it is.

1963. What is the objection to that course here ?—I do not know any objection to it. According to the Land Act there is permission for a second mortgage upon property where the tenants become peasant proprietors, and our idea was that perhaps as the company would have the money to lend, they might lend this one fourth to as many tenants as would need it, and as a second mortgagee receive the interest upon the same.

1964. In the case of the company's estates that you represent, have they taken any steps to get their rents settled ?—We have had no cases tried in the Land Court as yet. There are only a few tenants who have served originating notices. I might say that the Ironmongers' Company for some years have been talking of selling the estate, and the estate is now partitioned or divided among the different companies, that is, among the Ironmongers' Company and the six minor companies. And what the end may be we do not know. I was authorised by the tenants to say that the tenantry would regret extremely to see the property pass out of the hands of the company otherwise than by sale to the occupying tenants. The idea of that is this, that unless the tenants could become owners of their own holdings they do not wish to change landlords. They consider that they are quite as safe if not more so under the company than they would be under any individual private landlord. Of course under the present Land Act no man can extort more than what may be considered a fair rent, but we have no wish to get rid of them unless we can become owners of our own holdings. I hold I may say a small farm under the company myself.

1965. (*Sir S. Waterlow.*) Do you know anything of the gross rental of the Ironmongers' estate ?—I think it is about 7,000*l.*

1966. Do you know anything of the amount which the company spend in the district of the estate out of the gross rental of 7,000*l.* ?—They give to schools or to schoolmasters from 10*l.* to 15*l.* a year, and I think there may be from 12 to 16 schools upon the estate. Latterly they have given 10*l.* a year to the ministers of the different religious denominations in the district where their tenants or a portion of their tenants are. I may say that I received the first 10*l.* last year myself, but it is only latterly that they have given anything, specially to the ministers of the Presbyterian Church. They give a little in charities, but I could not say how much—I mean towards the poor of the district in the way of clothing during the winter. They used to give draining pipes to the tenants, and they used to give them tiles for roofing office houses. That latterly has been discontinued; the tiles were not a success, and many of the farmers did not much care for them, and the tile yard has passed out of the hands of the company and been let to a private gentleman as a speculation.

1967. Should you be surprised to hear that in 1878 and 1879 they spent 3,200*l.* out of the 7,000*l.* gross rental, and that in 1879–80 they spent 3,100*l.* out of the gross rental of 7,000*l.* ?—I should be astonished indeed, only that I now am reminded of the fact that we have got constructed what is known as the Derry Central Railway, and they gave the land gratis, I understand, for that, and each company, the Ironmongers' and the Mercers', are responsible for the interest upon, I think 17,000*l.* for 23 years. I think they must count that, because it would be utterly impossible for them to have spent the amount you mention on the property in any other way, I should think.

1968. Can you tell the Commission about, on an average, how many years' purchase the tenant right is worth on the Ironmongers' estate ?—The Ironmongers' Company limited the tenant right to 10 years' purchase until the passing of the Land Act of 1881, but since that we have had no sales, or almost none, I think, on the estate, but I should say it would vary according to the quality of the farm from 12 to perhaps 20 years' purchase. Tenant right sells very high in county Derry, as, no doubt, you are aware.

1969. And you think that on the Ironmongers' Company's estate it would sell from 12 to 20 years' purchase ?—I have no doubt it would, according to the quality of the land and the district of the country.

1970. The Ironmongers' manage it with the other associated companies, do they not, and none of the others interfere ?—There are six minor companies, if I am correct, who take part in it.

1971. The Ironmongers' Company alone manage the estate, do they not ?—No, there is a member from each minor company that makes six, and then there are six members of the Ironmongers' Company. The committee consists, I think, of 12, one representative from each of the minor companies and six representatives from the Ironmongers' Company.

1972. Have you any idea of the total number of tenants on the estate, speaking roughly ?—I really cannot answer that question. I know there are 42 town lands, but I could not ascertain the number of the tenants before I left home.

1973. Do you think there are 150 ?—I should think more.

1974. And none of them have taken their landlord into the Land Court, have they ?—Yes, notices have been served by a few, but not by many.

1975. Do you think that as many as 10 have served notices ?—I daresay there may be more than 10, but I think not more than 20.

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1976. There have been no cases settled?—None settled yet.

1977. Have the company endeavoured thus to make arrangements to prevent the necessity of going into the Land Court?—There has been no move made in that direction so far as I know.

1978. (*Mr. Firth.*) Is there tenant right on all the Ironmongers' property, so far as you know?—On every farm.

1979. And I suppose that would be a security over and above the money advanced?—Precisely so. Then we consider that the security becomes better every year. For example, take the tenants that purchased Lord Waterford's property; their property is worth a great deal more now than it was 10 years ago when they purchased, because they have paid interest and two thirds of the money from that day to this; consequently the property is of much greater value, and where it has to be sold, as will be the case with two or three who were in debt before they purchased, the property is of more value now than when they bought.

1980. Let me ask you how you fix 16 to 20 years' purchase. Is that fixed for any reason?—It is just to leave a margin. It is just a general statement, we could not say exactly what it should be.

1981. (*Mr. James.*) Do the Ironmongers' Company make an annual visitation?—A triennial—every three years they pay a running visit.

1982. What is the average size of the farms?—They vary very considerably. We have some of 50 acres, though only a very few; perhaps there are a few above that; but they run, say, from 15 and 20 acres down to 5 acres.

1983. Do you anticipate in the event of the tenants becoming owners of their farms that any of them would sublet a portion of the farm, or continue its cultivation themselves?—I would not allow them to purchase on condition that they could sublet. They are strictly forbidden to sublet under the Bright's clauses; if they do sublet they forfeit their right, and the Board of Works may sell. None have attempted to sublet, and I know a good dea labout them in my own district.

1984. Do you think that that is an arbitrary restriction?—It is one I would heartily concur in. I think it would be very injurious to their own interests to allow them to sublet what is already too small. I might say, moreover that there is a marked change on those farms that were purchased on the occasion of the sale of the Marquis of Waterford's property. Since they purchased improvements have been made that would not have been made. There is a very great contrast between those town lands that the tenants purchased and the town lands that were sold to private landlords at that time. The tenants are happy and prosperous, and content and loyal. The tenants who changed landlords, and got out of the hands of the Marquis of Waterford into the hands of private individuals, got their rents doubled, and sometimes more than that, and they are very far from being satisfied. The Marquis of Waterford was one of the best landlords in the north of Ireland. He had a large property in the county of Derry.

1985. In the case of the Marquis of Waterford's estate, is it not a fact that not all the purchasers have remained and cultivated the land themselves, but have let the farms?—You misunderstand me. I have not made myself clear. There were town lands where the tenants did not purchase that were sold to private individuals. Those private individuals doubled the rents upon the tenants, and I say there is a marked contrast between the town lands where the tenants did purchase and the town lands that were sold to private individuals. I omitted a statement that I should have made in one part of my evidence; it is not material as it is in the printed statement, but would your lordship permit me to say that in addition to what the Ironmongers' Company give to schools, charities, and for religious purposes they have also given 25*l*. per annum to the Magee College to found a scholarship for the sons of farmers upon the estate. I think it is only fair to give them full credit for all that they have done.

The following printed statement was supplied by this witness.

I am a tenant on the Ironmongers' estate, holding a farm of about 30 acres, and have been appointed by the tenantry on this estate to state to the Commission their desire to become owners of their holdings on favourable terms. In present circumstances the tenantry, speaking generally, would require to have the whole of the purchase money advanced to them on such terms as would render the annual repayment by the purchaser about equal to a fair rent, and if such terms could be obtained, they would be prepared to buy at from 16 to 20 years' purchase.

The Ironmongers' estate, in which six minor companies are interested (the Brewers, the Scriveners, the Coopers, the Pewterers, the Barbers, the Carpenters) contains about 13,000 statute acres. The company, with the associated minor companies, having raised for plantation purposes a sum of about 3,000*l*. in the time of James I., obtained possession of the estate. Shortly afterwards this estate was leased to a middleman, and the company did not resume possession till about 1840. The tenants were left to make all necessary improvements, the company having no direct connexion with the estate during a long period of years. Since resuming possession, the practice of the company has been to have a valuation every 21 years. There have been two valuations since 1840. The present rental was fixed in 1861. The Ironmongers' Company has been liberal in its grants to religious and educational purposes. National school teachers, and Presbyterian, Roman Catholic, and Episcopalian clergymen receive annual grants of sums varying from 10*l*. to 15*l*. The company contribute to the repairs of churches and school-houses. They have established a scholarship in the Magee College, Derry, of 25*l*. per annum for the benefit of the sons and brothers of tenants on their estate. They have also, to a slight extent, assisted the tenants from time to time in making necessary improvements.

It is understood that the company has been contemplating a sale of their Irish estate. With a view to such sale, arrangements have been made to apportion the estate among the various companies interested. The tenantry would regret extremely to see the property passing out of the hands of the company otherwise than by sale to the occupying tenants.

1986. (*Chairman to the Rev. N. M. Brown.*) Do you represent any particular estate?—I do not. It is upon the general question that I have to address the Commission.

1987. Do you confirm what the other witnesses have said as to the desire of the tenants to buy the estates?—I do. I have had considerable experience with regard to a peasant proprietary (and I wish to confine myself largely to that particular phase of the question), inasmuch as I was a purchaser upon Lord Waterford's estate, and inasmuch as I had the honour and pleasure of assisting many of those who were tenants upon the estate to become peasant proprietors.

1988. Then you are able to speak of the success of the experiment in that case?—I wish to do so.

1989. How long is it since the sale took place?—In 1871, I think, in the month of December.

1990. Have they in all cases been able to hold on and pay their instalments?—They have. I think they have paid better upon the whole than any of the tenants upon any of the estates about, and I am prepared to add that so popular has the purchase scheme been, that I believe even the tenants upon all the companies estates are anxious to buy if they could purchase at a reasonably fair rent.

1991. In the case of Lord Waterford's estate do you know at how many years' purchase they purchased?—I am sorry to say at a very high rate, much higher than we would just now. We paid on an average about 30 years' purchase. The rents were somewhat lower than the Government valuation. That is the reason why it appears high. In some cases the rent was fully as high as the Government valuation.

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1992. The transaction, as I understand, was a purely voluntary one on both sides?—It was.

1993. The tenants paid the price they thought the property worth?—What we could get it at; we were very willing to purchase at the time.

1994. And they thought it worth 30 years' purchase of the ordinary rent?—They thought it was well to purchase even at that rate, because in those days we had not the provisions of the Act of 1881 which we have now, and which if we had possessed at that time I am sure we would not have purchased at such a high rate.

1995. You would have preferred to hold on under the Act?—I do not say that, but I think we would have purchased at a much lower rate.

1996. Are you sure you would have been able to purchase at a much lower rate?—I think we would, because I think strangers would not have offered so much for the property, and I think Lord Waterford who bought back one third of the property would not have bought it at such a high figure.

1997. Bought back from whom?—In the court, Lord Waterford's family.

1998. Then if I understand you rightly your idea is that the tenants ought to purchase at the present time, at a price lower than they would in normal periods, because at the present time strangers are not likely to come in?—We regarded Lord Waterford in those days as a very good landlord, and if he had held on we would have been very well content; we were afraid of new purchasers even under the Act of 1870, because under the Act of 1870 the landlords still had the power of raising the rents, therefore to defend ourselves and protect our tenant right we were most anxious to be purchasers even at a high rate, and we purchased accordingly. Some 70 lots were purchased by the tenants at the high rate I speak of.

1999. As I understand you, the tenants of the companies are peculiarly anxious to purchase at the present time?—They are, but not at the same figure. We regard the land as of much lower value when it is brought into the market now, and I think nowhere would tenants buy at 30 years' purchase now.

2000. Another part of the proposal is that they should not find any part of the purchase money themselves?—I should be disposed to say that in Ulster we might very justly claim the whole of it from Government, because I think there would be no risk whatever, inasmuch as the tenant right is so valuable in Ulster. I would suppose that on legislation there can be no exception made in favour of Ulster. I think that whatever legislation is made must be made for the whole of Ireland, including all the provinces, therefore I would say that the safe thing for them to do would be perhaps to give the four fifths of the money, as was recommended by Mr. Lefevre's committee.

2001. We have had it in evidence from a former witness that some of the tenants of those estates were very poor; in fact, that is the reason why it is desired that four fifths of the purchase money should be advanced by the State; supposing one or two bad years were to come, do you think that they would be able to keep up the annual payments?—I am happy to say that we have paid hitherto, and we have passed through as stern an ordeal as we would feel again. The year 1879, to wit, was an exceedingly severe year, and others that followed it were very little better, and yet with all we have paid up the instalments with admirable carefulness and honesty.

2002. You put it in this way, as I understand, that the tenants are so well off that they could be reckoned upon to pay, even if a series of bad years should come in the future, but at the same time they are so impecunious that they cannot afford to advance any part of the purchase money?—No, I do not mean to say that. I mean to say if they can live under a landlord and pay the rent they can live as their own landlord. If they can live under a landlord and pay the rent, they could pay the instalment to the Government as well as to the landlord.

2003. What do you contemplate in the event of their not being able to pay the instalments?—They have a valuable property, and I suppose it must be sold out and the money must be repaid. The Government must not lose. I should say that the Government are thoroughly insured against loss.

2004. You would be prepared, on the part of the tenants, to accept that result?—I would, certainly.

2005. Do you not think that there would be a great popular clamour if any man were compelled to part with his holding in consequence of bad seasons?—People are always apt to be annoyed if put out, but after all I think there should not be any clamour in case a man is only paying his just debts.

2006. (*Sir S. Waterlow.*) We have been told by previous witnesses that the tenant right of the property belonging to the livery companies and the Irish Society is worth from 12 to 20 years' purchase; do you agree with that?—Yes, I do.

2007. Then the tenant has a property equal to from 12 to 20 years' value of the rental?—Yes.

2008. Would not that property be a sufficient security, even if the Government advanced four fifths of the purchase money?—I think it would.

2009. Suppose that for nonpayment of the stipulated amount of principal and interest the estate was put up to be sold, say, at the end of two years; that is to say, the value of the tenant right would be sufficient to guarantee the Government and the company who advanced the money?—I think it would, but there would be a difficulty to separate the landlord's interest from the tenant's interest, because the two would be combined in that case.

2010. Surely if the tenant owed the Government or owed the landlord for the purchase money, and only owed two years, and he was sold up, his interest would be sold as well as the other, and that would be sufficient to cover the two years' payment, would it not?—Yes, or much more.

2011. To narrow it into one question, assuming the tenant right to represent an average value of, say, 16 years' purchase, surely two years' payment would be more than covered by a 16 years' purchase?—Yes, in the north the Government would be perfectly safe.

2012. I am only speaking of the property belonging to the livery companies and the Irish Society, because upon that point only have you stated that the tenant right is worth on an average of from 12 to 20 years' purchase?—Yes.

2013. That is as regards those particular properties?—There is a large tenant right upon them all.

2014. Which would be quite sufficient to secure against two years' payment?—Yes, I am certain of it.

2015. (*Chairman to Mr. R. Stuart.*) You represent the Mercers' estate?—I represent the tenantry on the Mercers' estate.

2016. You have heard what has been said by previous witnesses, do you confirm that?—I do; the tenants on the Mercers' estate are most anxious to become the purchasers, the same as they are on the other estates, and on the same terms as the gentlemen who have preceded me have spoken of.

2017. We understood from the last witness that their wish was not so much founded upon any ill usage that they had met with from their landlords as upon the wish to become proprietors?—The only ill usage we think they have suffered at the hands of their landlords is in increase of rent.

2018. That we may take it is dealt with by the Land Act, and therefore that question cannot arise again?—No; but the rental some years ago was, of course, much lower than it is now, and since the year 1832 or 1833 we have had at three different times a rise of rent, until the rental is now a little over 12,000*l.*, or a rise from 8,000*l.* to 12,000*l.*

2019. Surely that is not a question of practical importance now, because if your rent is too high you have the power of appealing to the Land Court and getting it reduced?—Yes, but we think we will not be successful in getting it reduced so low as it was

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in 1832 or 1833, and the only great grievance that the tenantry have to complain of is this great rise of rent, the rackrent.

2020. I understand you come here because you are not satisfied that the Land Court will do enough for you in the way of reduction of the rents?—It is not so much that as that we are anxious to become the purchasers of the property.

2021. That is, on the conditions before mentioned, viz., that you do not pay the money for it down?—But we will pay for it in the course of time; we do not want it as a gift; we are willing to pay for it by instalments.

2022. In your judgment would the tenants be prepared to offer the same price for the land as would be offered in ordinary times by outside purchasers?—I think not.

2023. Why?—I think if the land had been sold about 10 years ago it would have commanded a higher price than it would do now. I think there are very few landlords in the country who would wish to purchase an estate at such a high figure as they would have given for it 10 or 15 years ago, and the tenants certainly would not be prepared at the present time to give 20 years' purchase on the enormous rental of the estates.

2024. Then part of their demand is, that they shall obtain the land at an exceptionally low rent?—At a fair rent. The rental of the estate now is nearly 30 per cent. over the poor law valuation of the land. The tenants have built all the houses on the estate. In the very town of Kilrea, with the exception of a few houses built by the Mercers' Company, they were all built by the tenantry.

2025. What I want to get at is this, whether you are contending that the tenant has a claim to buy the land at a lower rate than its ordinary value in the market?—They have been paying this rackrent for so many years that they think they are entitled now to get some justice from the hands of the landlords, inasmuch as they wish to have the land purchased at a cheaper rate, or at a lower rate, than any outside purchaser would give for it.

2026. "Some justice" means that they expect to obtain the land at less than its market value, that is the way you put it?—They think that they should have some concession granted to them by the landlords, and that if the Government could interfere at all in the matter they would take this into consideration, inasmuch as the tenantry have been very highly rented for many years.

2027. You put it in this way, that they are entitled to a retrospective reduction of the rent they have paid to be taken out of the purchase money?—Certainly.

2028. And perhaps it is the idea that that demand is reasonable and likely to be complied with that leads to the general feeling in favour of creating a peasant proprietary?—No doubt.

2029. That is to say, they are not prepared to buy their land at the market value, but think that they are entitled by the help of the legislature to obtain it at a rate below the market value?—They would not like to give a competitive price for it.

2030. The "competitive price" means the price it would fetch in the market, does it not?—The price that an outsider would give for it.

2031. Do not let us have any misunderstanding about that; you say the tenants are not prepared to give what would be the market price for outsiders?—Provided that outsiders would offer a price much about the same as that which the tenants would be willing to give, then, of course, the tenants would be prepared to buy it, but they would not be prepared to buy it on the enormous rackrent that they are paying.

2032. They would not be prepared to go into the open market and buy it against any competitor even if money were advanced?—I cannot answer that question; we do not know what outsiders would give for the estate. We think that if we could purchase it on the basis of the poor law valuation that we would be quite content to do that, taking off some of the working expenses of the estate.

2033. Supposing that the companies were compelled to sell their estates, you think they ought to be compelled to sell them at a low fixed rate to the tenants rather than make the most that could be made of them by putting them into the market?—I think that the tenants should get the first chance of purchase, and if the Government would consider that it was a fair offer on the part of the tenantry that the companies should be bound to take it.

2034. Would you allow a tenant who had bought in that manner to sell again?—For many years the tenants have been making up the land, they got it in a crude state, and for 50 years, and more, they have been making it up, improving it, building on it, and making it as valuable as it is now, and I think that they would be entitled to get it at a low rent.

2035. You do not quite answer the question I endeavoured to put. It is this: supposing the fixed rate at which you say the tenant is willing to buy is lower by three or four years' purchase than can be obtained in the open market (we will take that as a supposition), do you contend that the tenant has a moral right to purchase at that low fixed rate, and that he is to be free again to sell, if he pleases, at a higher rate, because if so that seems to be very much like making him a present of several years purchase of his land with the help of the State?—I am not prepared to answer that question, but I know that the tenants are anxious on all the estates that I know of to buy at as cheap a rate as possible, independently of what they would get for it afterwards; I think that is the feeling over all the estates.

2036. (*Lord Coleridge.*) I want to know whether I quite understand you. You have told Lord Derby, as I understand (but I do not know whether you meant to tell him), that you think it would be right and proper that those tenants should now, in the present state of things, purchase their property for less than it is worth?—The way I would answer that question is this——

2037. I follow what you have said by a question; did I rightly understand you to answer Lord Derby so?—What I meant to convey was this, that they would not wish to purchase on a rackrent now, because if an outsider comes into the market now to purchase the estate he would purchase on the actual rental; he would give so many years actual purchase of the present rental of the estate.

2038. Does it enter into your answer to Lord Derby that at present the rents are too high, that they can be reduced by law by going into the court to reduce them, and that you think that the purchase should take place upon so many years' purchase of the reduced rent?—Of the reduced rent.

2039. Is that what you mean?—That is the meaning I intended to convey.

2040. Then that would be open to anybody—to the outsider as well as to the tenant?—Then the tenant would compete, I believe, with the outsider.

2041. That course would be open to anybody, viz., to go into the Land Court and get the rent reduced. Suppose I came and took a holding now held by one of those tenants, upon a perfectly proper arrangement between myself and him, I could go into the court and get the rent reduced if it were too high, could I not?—Of course you could.

2042. So could he?—Of course he could.

2043. Do you mean more than that when that process has taken place and the rent is reduced to what you say is a fair rent that then the tenant should buy at the full value of that reduced rent?—I mean what I say here in my printed evidence.

2044. A lawyer has a way of liking to have his questions answered in his own way; do you mean more than that?—I really do not perfectly understand you, but if you will kindly permit me to explain myself I will do so.

2045. If you mean more than that you obviously do mean what Lord Derby has said; if you do not mean more than that, it is a qualification of your answer?—What I mean is, that if a tenant should purchase, not at the rental they are paying now, but at the rental which would be fixed by the Land Commission, who have already tried several cases in connexion with the Mercers' Company's estate, and reduced the rental 20 per cent.

2046. I was going on to say, then when that reduction has taken place, do you mean that the tenant ought to stand in any advantageous relation to an outsider, or not?—I think that the tenants should get a preference before any outsider, they having been so long on the estate.

2047. Do you mean that they should pay less?—I would like that they should pay less, but I will not say that they should do it.

2048. Do you put forward the proposition that they have any claim to pay less?—I think they have a prior claim to any outsider coming in.

2049. To pay less?—To pay less. I should say that they have been always prepared since there was any talk of the purchase of the estate to give a fair price for the estate; they do not want to take any advantage of the Mercers' Company.

2050. (*Mr. Firth.*) Have you got a copy of Lord Selborne's ultimatum with you?—I have.

2051. Will you kindly hand it in. If the Land Commission reduce the rent, you say to 9,640*l.* less 1,900*l.* for working expenses, the actual rental would be 7,740*l.*?—Yes.

2052. "Purchased at 20 years, 154,800*l.*; at 18 "years' purchase, 139,320*l.*; at 16 years' purchase, "123,840*l.*; at which price the tenantry would "willingly purchase"?—Yes.

2053. Is that the price at which they would willingly purchase?—They would willingly purchase at the low price.

2054. Would they willingly purchase at 20 years? —I believe they would.

2055. Would they willingly purchase on a fair rent? —On a fair rent.

2056. Twenty years' purchase?—Twenty years' purchase.

2057. But you would take the fair rent as settled by the court?—We should do that, and we should be obliged to do that; but I think I am perfectly correct in those figures as to the working expenses on the estate and the rise of rent that has been imposed on the tenantry since 1832.

2058. I do not misunderstand you, I hope, as to the 20 years' purchase. It is 20 years' purchase on the fair rent, not 20 years' purchase after deducting something for working expenses. I put the question about 20 years' purchase upon the fair rent as settled by the court. Would the tenants be willing to purchase at that rate?—If we could not get it for less we would take it at that.

2059. I am putting nothing about working expenses. I see something here, in your statement, which may or may not be important. The question I put to you is this, do I correctly understand you to say that the tenantry are willing to purchase on 20 years' purchase upon a fair rent as settled by the court—yes or no?—They would, by getting four fifths of the money, extending the repayment over 52 years.

2060. (*Lord Coleridge.*) Then what do you say about the working expenses?—I suppose we should throw them overboard.

(*The following printed statement was supplied by this witness.*)

In the year 1751 the Mercers' Company leased their estate to Mr. Stewart, of Ards, for three lives, or 61 years, for a fine of 16,300*l.* and a yearly rent of 420*l.* The last of the lives expired in 1832, when the rent of the estate was 10,443*l.* When the Mercers' resumed possession they found the land of the estate in a wretched condition, and the tenantry in a hopeless state of insolvency owing to the rackrents imposed on them by the middleman, Stewart. The Mercers' purchased from the heirs of Stewart the arrears of rent due to them by the tenantry, and swept the same away on receiving from the tenantry 5*s.* in the pound. The Mercers', on resuming possession of their estate, reduced the rental of 10,443*l.* to 8,498*l.*, or 19 per cent. nearly. The tenantry continued to pay their rent up to 1855, when the Mercers had a revaluation of the estate, the valuers being Mr. Saunders and Mr. Watney, both Englishmen, the latter being a member of the Mercers' Company. These gentlemen increased the rental to 10,260*l.*, or to within 163*l.* of the rackrent imposed on them by the middleman Stewart.

Again, in 1876 the Mercers' sent over Mr. Watney to again value the estate, but certainly with the object of increasing the rental. Mr. Watney's valuation was about 14,000*l.*, an enormous increase to be imposed on the tenantry, at a time too when there were 259 civil bill processes issued against the same number of the tenants, or nearly one fourth of the whole number on the estate. These processes were issued for nonpayment of rent only. When the tenants were called on to pay this increase they became alarmed, and resisted the unreasonable demand; they held public meetings and appointed a working committee to manage their affairs. The Mercers' saw that the tenants were prepared for war, and they sent over Lord Selbourne and three other gentlemen from Mercers' Hall to treat with the tenants. Lord Selbourne issued an ultimatum to the tenantry, a copy of which was sent to each tenant on the estate. The offer held out by this document was to be final. The ultimatum said that all rents raised over 40 per cent. would be brought down to 40, with an abatement of 8 per cent., and all others whose rents are raised from 28 per cent. and upwards, an abatement of 8 per cent., and all others whose rents are raised 20 per cent. and upwards, no abatement for them. The tenantry would not take these terms. Consequently over 60 of them whose rents were nearest to the Government valuation, or to all appearances were not highly rented, received notice to quit, and an ejectment process issued against them. They appeared before the chairman of quarter sessions. Mr. John Rea was attorney for the tenants. When the case was being argued, Mr. Rea insulted the chairman, and was committed to Derry Gaol for 12 days. The tenants were then left without a solicitor, but the cases went on nevertheless, and decrees granted against the whole number. Mr. Rea advised them to appeal to the assizes. They did so; the judge ruled against them, not on the merits, but because their claims were not heard in the court of first instance. They were put into 850*l.* costs. Mr. Dolling was removed from the agency, and Sir William Holmes replaced him. The extravagant rise of rent was manipulated in the rent office, each tenant receiving another notice of the amount they were to pay. The reductions brought the amount down to the present rental, 11,769*l.*, but previous to the last rise of rent in 1876 each tenant and cottier paid 1*s.* a year for the privilege of cutting turf. Since the litigation with the tenantry each tenant and cottier pays now 5*s.* a year for the same privilege. There are a large number of tenants on the estate. In 1869 there were 550 holdings on the estate of less than 10 acres; 350 of less than 20 acres; 150 of less than 40 acres; 60 of upwards of 40 acres; making in all 1,110 tenants, or thereabouts. It is safe to calculate that there are still 1,110 using bog for turf—at 5*s.* a head gives 277*l.* 10*s.*—added to 11,769*l.* it gives a total of 12,046*l.* 10*s.*, which I assume is the actual rental of the estate, being an increase of 14½ per cent. over the rental paid from the years 1875 to 1876, which was a period of exceptional prosperity for the farmers. This last rise brought the rental 31 per cent. over the poor law valuation. The valuation of the estate is 9,135*l.* The tenants built all the houses and made all the improvements, receiving no assistance from the landlords save a few arterial drains, and by-roads for turf drawing. In many instances the tenants were called on to contribute towards their maintenance. The rental over the valuation is now 2,911*l.* The Sub-Commissioners held a court in Kilrea, the chief town on the Mercers' estate, and heard a number of cases, some of them from adjoining estates. The landlords were represented by two Queen's counsel, one of them Mr. Holmes, late Solicitor-General, and the other equally as eminent; also two able solicitors, London valuators, and Mr. Murphy. The tenants had two attorneys. The cases were ably argued on both sides, the result being that the rents of the tenantry whose cases came before the Commission were reduced fully 20 per cent.

Assuming that all the other cases of the tenants be disposed of on the same basis, it would bring the

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rental of the land and bog down to 9,640*l.*, which would be 505*l.* over the Government valuation. The Mercers' spend annually large sums of money in working the estate. The agent receives 800*l.* a year, a splendid mansion and land adjoining, altogether worth 1,000*l.* a year or nearly. Two clerks, one receiving 150*l.* the other 80*l.*, an office keeper at 30*l.*, a surveyor 130*l.*, a clerk in the Irish office, London, at 400*l.*, and expenses for deputation coming every year 100*l.*, or in round numbers nearly 1,900*l.* Assuming that the rental after being cut down by the Land Commission be 9,640*l.*, less 1,900*l.* for working expenses, it would leave the actual rental 7,740*l.*, purchased at 20 years, 154,800*l.*; at 18 years' purchase, 139,320*l.*; at 16 years' purchase, 123,840*l.*, at which price the tenantry would willingly purchase.

The Mercers' land is of an agricultural nature. It is not rich enough in soil to be good fattening grass land. There is none of it that I am aware of set apart for grazing farms, unless on the wild mountain land. As a rule, no wheat nor barley is grown on it; if any, it is of no account. The principal crops are potatoes, oats, and flax. Then three or four years' rest, and then the same rotation again. The flax grown on the estate is of a poor quality, much inferior to flax grown in the counties of Down, Antrim, and Armagh. It is mostly all hand-scutched. It loses a large per-centage. When scutched at the flax mill it is considered so inferior that merchants and spinners from Belfast do not care to purchase it. It yields so badly, and consequently is bought at a price so low, that it does not remunerate the farmer. We have no public works on this estate, with the exception of a small beetling engine concern for linen cloth. No manufactories to give employment to our people. When the young grow up they emigrate, such of them as can find the means of doing so. Those who cannot go to England and Scotland. Much of their earnings come back to the estate to pay the rent. Had it not been for the Irish boys and girls who emigrated from this country and sent home tens of thousands of pounds, the rents would now be reduced more than 50 per cent., for their savings and much of the produce of the land at home went into the pockets of the landlords.

The Mercers' Company do not encourage any extension of the towns of Kilrea and Swatera. They will grant no building leases for longer than 61 years, and there are few who care to invest their capital on such short tenure. I have heard that they are not at all anxious to give any more leases, even for 61 years.

Capitalists and manufacturers would have settled long ago on the Mercers' property, on their side of the Bann, had they got leases in perpetuity. The Bann flows from Lough Neagh to the sea near Coleraine. Lough Neagh is an inland lake, containing nearly 100,000 acres. From north to south it is 17 miles long, and from east to west 10 miles long. This great lough has a catchment basin of 1,865 square miles, or 1,193,600 statute acres. The fall from the bar at Toome, the entrance to the lough, is 48 feet over the low water at Coleraine, on the Mercers' property. At Portna we have the first fall of 14½ feet, equal to 2,457 horse-power. The next fall is 2½ miles down the river, at Myvanagher, also the Mercers' property. At this place there is a fall of 8½ feet, giving 1,606 horse-power. The last fall on this property is at Carnroe, five feet fall, giving out 945 horse-power. We have on this neglected property, on a length of river a little more than three miles long, a power of water equal to 5,000 horses, flowing unproductive to the sea, a mine of wealth flowing past our doors which, if utilised, would give work and wages to more than 20,000 people, save the nation more than 26,700 tons of coal, value for more than 18,000*l.* a year, a sum equal to nearly two years' rent of the Mercers' estate when the Land Commission reduces the rental 20 per cent., and over. No estate can be prosperous having three loan banks; this estate has three. One of them, and the one of the greatest importance, is called the Company's bank, was established about 30 years ago to enable the tenantry to pay the rent with money borrowed at a high rate of interest. The agent of the estate is the general manager or chairman of the directors. The office officials are on the committee; the sitting is in the rent office. When a tenant wants a loan he travels sometimes five miles to lodge his application. In a week after he comes again to know if he has been successful. If so, he brings with him two solvent securities. He gets the money, 6*d.* in the pound being first deducted from it. He pays it back in five monthly payments, each time walking perhaps 10 miles. The two other banks charge a higher rate of interest—one of them 1*s.* in the pound; the other, I think, charges 9*d.*, but they all do a good business. They are sources of great evil and much misery to the farmers. It is said by the old people living on this estate that during the tenancy of Stewart such was the miserable condition of the tenantry that the girls living on adjoining properties would not marry with the boys on the Mercers', because they said they would be going home to poverty. The subjoined narrative by Mr. Slade, who was Secretary of the Irish Society in 1802, will strengthen the truth of the tradition.

ROBERT STUART.

Kilrea, July 8th, 1882.

EXTRACT from a NARRATIVE of a JOURNEY to the NORTH OF IRELAND in the year 1802, by ROBERT SLADE, Esq.

The first notice I received of my arrival on lands belonging to the Londoners (as they are there called) was at Kilrea, a market town situated on an eminence near the river Bann, which I learnt from the landlord of my inn was held by Mr. Stewart, uncle of lord Castlereagh, under the Mercers' Company, and that it extended for more than six miles along the road over which I was to pass in my way to Londonderry. Inquiring into the reason of the want of accommodation and the apparent poverty of the place, the master of the inn observed, "that it could not well be otherwise in a part "of the country where they never saw the face of the "owner of the soil, or even his under-tenant"; and he mentioned this circumstance as a grievance which greatly prevails in Ireland, but particularly in all those parts situate in the north of the island, which belong to any of the city companies. I felt the force of the observation, which impressed me with a greater degree of indulgence for the poverty, ignorance, and laziness of the lower order of the people, who toil for a miserable subsistence, and see the fruits of their labour carried off from time to time by an agent of their landlord, to be spent in a foreign country; while the very same description of people in England are cheered by a hospitable reception in the hall of their landlord when they wait upon him to pay their rent, derive benefit from his expenditure and example, and, in case of petty disputes, find an honest magistrate, a kind landlord, and a well-informed neighbour to reconcile their differences and prevent little misunderstandings from growing into rancour and the desire of revenge. This want of example, assistance, and consolation from the resident landowners deprives the inhabitants of all inducement to union, so that each family lives by itself, in a little cabin without a chimney, with a clay floor, and a bed of straw or rags. A group of nearly naked figures are often seen at the doors, consisting of the wife and children. The husband finds the means by working at his loom to pay an extravagant price for four or five acres of land, on which a cow is kept for the family, and some potatoes and flax are grown. This, with a turf fire kindled in the corner of their cabin, round which the family crouch, with some oatmeal for stirabout, constitutes all the wants, and whiskey the luxury of the Irish peasant; who, never looking beyond it, has no temptation to enterprise or exertion.

I was assured that it was no uncommon thing for a man and his family, after planting their potato ground in the spring, to turn the key of their door, and after employing the summer in begging, to return again to their habitation in order to gather their crop of potatoes, collect a little stock of turf, and thus provide themselves for the winter. If the mere propagation and increase of the human species were to be considered as a proof of the prosperity of a country, the north of Ireland would be the richest in Europe. The cabins swarm with children, and a late ingenious author (the manner of whose death has left an indelible disgrace on those concerned in it)[*] is said to have made a calculation, by which he ascertained the population of this part of Ireland far to exceed that of any part of England or even Holland. Such is the general state of the northern part of Ireland; and as the late rebellion was checked in an early stage by the exertions of the yeomanry, the face of the country affords but few marks of its effects.

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[*] Dr. Hamilton is said to have computed that one square mile in this part of Ireland contained 575 persons. He was assassinated when on a visit at the house of a friend by a body of United Irishmen, and his death was attended with circumstances of cruelty too shocking to relate. All the parties concerned in the murder are said to have since left the country.

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The lands belonging to the Mercers' Company extend from the left bank of the Bann, near Kilrea, for the space of about six miles towards Boyd's Mountain, and are let, as I was informed, in small parcels, from 5 to 30 acres (which is considered as a large farm), at an average of about 1*l.* 3*s.* an acre. There are no timber trees on the property, but I learnt from the conversation I had with the landlord of the inn that about 14 years since Mr. Stewart, the tenant, had cut down a great many trees, chiefly ash and sycamore, in the neighbourhood of the town. Mr. Orr, a linen merchant of Londonderry, has a handsome house near the high road, and is now building some cotton or linen works towards the foot of the mountain, which, notwithstanding its dreary aspect and unprofitable soil, is interspersed with cabins.

INSTANCES of ADVANCE of RENTS.

James Stewart, Lesacrin. Rent receipts.

	£	*s.*	*d.*	
1783 - -	2	18	6	Under Stewart, who leased the estate from the Mercers'.
1784 - -	5	7	2	
1857 - -	15	8	0	Under the Mercers'.
1879 - -	42	5	0	

William M'Kay, Kilrea:—

1806. Lease for seven years, house and land, 9*l.* 8*s.* 7*d.*

1876. Rent demanded by memorandum of agreement 1876, 18*l.*

John Johnston, Kilrea:—

	£	*s.*	*d.*
Rent in 1849 - - -	5	18	8
" 1857 - - -	8	8	0
" 1882 - - -	9	10	0

Tenants made all the improvements.

(1) 2061. (*Chairman to Mr. A. Brown.*) I understand you represent the tenants on the Salters' and Drapers' estate?—I do.

2062. And I gather that you are prepared to state that they are anxious to purchase their farms?—Yes.

2063. And probably you agree with the last witnesses as to the terms upon which they would wish to purchase?—Yes, in general terms I do.

2064. As a rule, are they a poor class of tenant?—The holdings are not very large upon the Salters' estate, and there is considerable poverty prevailing, because during the bad years the Salters' Company never made them any reduction or allowance upon the rents.

2065. Have the tenants applied to the Land Court to have their rents fixed?—A few of them have. A good many of them are in such a position that they cannot apply, owing to their owing rent.

2066. Being in arrear, do you mean?—Being in arrear.

2067. Then we cannot go into the question of what may be done as to present arrears; but do you consider that they would be able and willing to pay their 20 years' purchase of a rent fixed by the Land Court, assuming the question of arrears to be disposed of?—I do.

2068. Do you think that they would be willing if the estates were put up for sale to bid in the open market against any other person?—I have not the least doubt about that. They would be prepared to bid as far as they considered the value to extend. They are the best judges, because they know the position they are in with regard to poverty, and how they have sunk in the scale in the last six or seven years.

2069. Do you take the same view that the last witness has taken, that they are morally entitled to be protected against the competition of any outside purchasers?—I do not altogether. I believe that taking that view of it is rather an abstract view. The tenants on this property have for the last 130 or 140 years been the sole improvers of it, and I believe as a matter of generosity on the part of the landlords that they would be bound to give the tenants such an opportunity of buying as they would not give to outsiders.

2070. That is to say, that you consider that they have a moral claim to buy at a lower rate than the rest of the world; is not that only putting your own answer in other words?—Their position towards the landlords is different.

2071. I think I may take it, then, that you consider that they have a right to obtain possession of their farms at a lower rate than an outsider would give for them; you have said that, have you not?—At a lower rate than an outsider would give for the whole estate in the farm.

2072. You think that they are entitled to get that upon lower terms?—Yes.

2073. Have you considered on how much lower terms?—I have never considered it.

2074. What do you consider is the advantage in the market that the tenant ought to have from the fact of his being a tenant; would you say three or four years' purchase, or what?—I would not put figures to it.

2075. If there is a right there must be some limit to the right; you have not considered that?—No.

2076. Can you explain what I did not entirely understand upon another point; assuming the tenant to have this monopoly of the right to purchase at a lower rate, is he to be entitled to sell again to any other person and put the difference in his pocket?—I would scarcely put it as strong as your lordship has put it. I would consider him entitled to a monopoly at that rate.

2077. Would you consider that he had the right to sell again after a certain time?—Yes, I think he would be entitled to sell again.

2078. That is to say, supposing that it were determined that being a tenant he had the right to buy at 16 years' purchase, and supposing the value of the holding in the open market to be 20 years' purchase, he would be entitled after a year or two to go into the open market and sell at 20 years' purchase what he purchased at 16, and pocket the difference?—If your lordship would allow me to answer indirectly, if you would consider it a proper answer, I would say that if this tenant has for a number of years been paying rent upon his own improvements is he entitled to go into the market under the same circumstances as a stranger?

2079. Then I think I understand you. You mean that in consideration of improvements he has made he is entitled to a reduction in the price at which he purchases?—To a consideration, I think so.

2080. You say to a consideration?—Yes, a consideration in the price.

2081. Will you define the term. Do you mean a reduction in the rate of purchase?—Yes, I think he should have it at an easy price.

2082. I take it from your answer that you consider a tenant has a right to buy below the market price, and that he has a right having so bought to sell again at the market price?—Yes.

2083. (*Lord Coleridge.*) May I venture to ask you, do you take any account of the tenant right in that answer?—Of course; the tenant right is a defined quantity, but I take note of this in my answer that the tenant has been paying for a number of years a rent which the landlord had the opportunity of putting upon him without contradiction on the part of the tenant, and that in many cases such rents have been paid upon the tenant's improvements.

2084. I speak ignorantly upon this subject. The tenant's improvements and what he has put into the land is represented by tenant right, is it not?—It ought to be. It is represented by tenant right if the rent has not been raised so as to absorb the tenant right, which it has in times past.

2085. Forgive my ignorance. In Ulster there is tenant right everywhere, is there not?—There is.

2086. The value of the tenant right is ascertainable in a given estate or a given farm at any time, is it not. You can sell the tenant right at any time, can you not?—Yes, of course.

2087. The tenant right has a certain market value?—It has a certain market value.

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(1) *See* Evidence of Salters' Deputation, p. 344, and Salters' Statement, p. 355.

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2088. What a tenant buys is the value of the land plus the tenant right, is it not ?—Yes.

2089. If he himself buys his holding he pays the sum it is worth less his tenant right, does he not ?—Yes.

2090. What right has he to anything more ?—Only this that I have described, that during years gone past he has been paying a rent which has been put upon him—and that he had no option—and a higher rent than he should have paid, and it is now plain from the dealings of the Land Commission that the rent which has been put upon him is more than the fair rent, because the Land Commission, generally, all over the country, is reducing the rents.

2091. And the present landlord must pay to the present tenant what I will assume for the purpose of the question (not for any other purpose) to be the overcharge made by a former landlord to a former tenant ?—Yes, that he should consider it in selling to his tenantry.

2092. (*Mr. Firth.*) The Land Commission, in inquiring into and settling a fair rent, would take into account all these things you are speaking of, would it not ?—Yes.

2093. And the fair rent would be settled after their value had been completely estimated ?—If all these things were put in evidence that would be so, but that which I describe in regard to payments made upon a rackrent in the future may not be given in evidence. Then I have a statement to make in regard to the Drapers' estate. The tenants upon the Drapers' estate are willing to buy their farms on such conditions as the other tenantry all over the London companies' estates may be buying upon. They wish to enter into no controversy at this time, because the Drapers' Company have given them 15 per cent. of deduction in their rent on the leased as well as on the unleased properties, *and in consequence of their going beyond the provisions of the Land Act in giving them the reduction upon the leased lands they are grateful to the Company.* It may have been supposed from what I stated before that their gratitude consists in their having received 15 per cent. It does not consist in that, it consists in this: that the Drapers' Company have overstepped what the law provided for them in giving a reduction upon the leases and the leaseholders are grateful for it. I suppose it will be thoroughly understood now.

(*The following written statement was supplied by this witness.*)

The first requirement towards a purchase of their holdings by the tenants is:—That all the money be provided by the Government, which would be perfectly legitimate, seeing that according to the admission of Mr. Cartwright, agent of the Salters' Company, the tenant has as large and valuable an interest in his farm as the Salters' Company have, but failing the Government, the landlords might advance the portion which the Government would refuse to give, on the same terms of payment. All the money should be provided, because the poor section of the tenants must be protected from falling into the hands of usurers; but if the poorest tenants must go out of the country it is the duty of the Government, first, to give them an opportunity under the system suggested, and if they do not succeed no blame can attach either to the Government or the landlords, and the tenants might emigrate, or whatever seemed best, having no grounds for disaffection.

Any arrangement for purchase must secure a less annual money payment than the present rent, because that which is most of all wanted is a present relief for the tenants, who are steeped in poverty, as will be shown further on. This condition is imperative. A careful scrutiny of the resources of the tenants shows that scarcely one fifth of the acreage is held by men who are able to meet the payment of the portion of the purchase money required under the Bright clauses, and four fifths would require the whole money, so while I require the whole money it is in the interest of the poorest people, and intended to be so, as the deadlock has come under two forces: one, bad land laws, and the other, poverty of the people, the poorer the tenant the greater the claim.

The Salters' Company should sell out their estate because they do not seem to understand their duties: in the year 1874 a memorial claiming to have the tenants placed under the protection of the provisions of the Land Act of 1870 would not be received, and the landlords virtually contracted the tenants out of its provisions without allowing them to appeal even to themselves (the landlords) by memorial. Another appeal was made against an advance of 20 per cent. put on a portion of the estate in the bad year without result.

Another appeal made for a reduction of rent after the bad year with a like result. Another appeal was latterly made with a like result.

A deputation of the tenants at a still later time waited on the Salters' Company respectfully asking them, in the interest of the landlords and the tenants alike, that a fair rent should be fixed without going into court; the tenants were more successful on this occasion. The reply of the Salters' Company to their tenants contains this passage:—

" The value of the agricultural holdings having in-" creased they felt justified in advancing the rents in " 1866." Who improved the condition of the holdings? The estate was leased to Messrs. Stewart and Bateson about the year 1754, in whose family it remained up to 1854, and it was impossible the Salters' Company could during that time have done anything towards improving the condition of the holdings. During the 10 years that intervened between 1854 and 1866 there are many living witnesses to prove that none but the tenants did anything to their farms, so that 110 years stand to the account of the tenants for improvements; and from 1866 till 1882 the agricultural holdings have not in any way been improved by the landlords; then by carrying the mind back to the date of the sub-lease to Stewart and Bateson at 500*l.*, and taking the rental as the then present value, you find that in the 100 years an improved value of 20 times the first rent has arisen on improvements made solely by the tenants, as the rental stood at 11,000*l.* when Stewart and Bateson's lease expired. From 1866 till 1882 the additions placing the figure at somewhere near 17,000*l.* An averment is made that nearly 50,000*l.* have been expended on improvements from which the Salters' Company derive no income; but how do public buildings improve the agricultural holdings? and do not the Salters' Company charge as good rent for their stores and markets as any private individual could obtain for such?

The Salters' Company should sell their estate to the tenants, because the fixing of a judicial rent does not settle the land question, for so soon as the rent is fixed, an ill-defined line is taking the place of the judicial arrangement, and growing up until the next judicial term, and there cannot possibly be any lull in the land agitation as the judicial term, depending as it must upon the date that each individual tenant goes before the Land Commission, commits the country to a continual fixing of rents, and the only sound settlement is to sell out the property to the tenants.

Second. The settlement, even on the London companies' estate, would stay the demoralisation of the people, and the sale once accomplished on reasonable terms would lead the people of the country in the direction of their own interests.

The London companies in rising to this position do not require to make an effort attended with any difficulty, but a work lies before them the most ennobling, the most patriotic, that can well be imagined; they can cut the knot of the difficulty that perplexes the statesman; they can restore the people to a state of contentment and loyalty, giving them a stake in their country, enlisting their patriotism. A present feature of the agitation is, that on the small estates where landlords have made arrangements with their tenants (as judicial term), on these disaffection and agitation have literally died, and the people would settle down to the rank of good citizens if once made owners of their own holdings.

The London companies from their position have an opportunity of initiating the transfer to the tenant farmers of Ireland of their holdings; the sequel will prove how far their patriotism will carry them to do a great work for their country; they largely benefit distracted Ireland in the example they lay before the other proprietors to take up the only real solution of the land question.

Third. There is no sacrifice required on the part of the companies, as all the rents go to public purposes.

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This only directs the current into a new channel, while it may be the means of saving Ireland, and the London companies may take the proud position of initiating the settlement of that most difficult of all social and political problems.

DRAPERS' ESTATE.

The tenants are willing to purchase their holdings on the following conditions :—

1st. That all the purchase money be provided.

2nd. That the annual payments be less than the present rent.

The tenants do not wish to enter upon any discussion at this time, as the Drapers' Company have generously granted a reduction of 15 per cent. off the rents of all their lands, leased and unleased, thus going beyond the provisions of the Land Act, by abolishing leases, giving all their tenants the same abatement for the judicial term. This arrangement the tenants gratefully accept

2094. (1) (*Chairman to Mr. Dunn.*) You represent the tenants on the Fishmongers' estate ?—I do.

2095. Are they considerable in extent ?—It is not a very large estate, but it is a valuable estate, it is not so large as some of the others.

2096. You have heard the evidence which has been given by other witnesses; do you agree with them as to the desire of the tenants to purchase their holdings ?—I do ; the tenants would willingly purchase.

2097. Do we understand that they would require, like the rest, that the whole of the purchase money should be found either by the State or by the landlord ?—That is so. I consider that a large per-centage of the tenants would require the money to be advanced by the Government partly, and the remainder allowed to remain for the same term and on the same conditions as that on which the Government is lending.

2098. That is to say, that they should not be called upon to pay down any part of it ?—Quite so.

2099. Are they all small and poor tenants ?—No, there are a good number of large farms on this estate. There is a matter here which I should refer to which was got up on the occasion of granting the last lease. That was in 1872. There was a considerable advance proposed at the time. The estate fell out of lease, and was revalued. The tenants objected, and considered that they could not pay it, and eventually, after some negotiations between the company and a deputation from the Fishmongers, who came over to visit their estates, and a deputation from the tenants who came over to wait upon the company, it was agreed that the company should hand over their valuator's book, that is, Mr. Nolan's or Messrs. Nolan and Son's, and that the tenants agreed to accept. I may mention that that valuation was made at a time when agricultural matters were in a very prosperous state. It was made after a period of years, in which the price of produce had been high and seasons good. It is shown by statistics that the average gross agricultural produce for the 10 years previous to this was more than the rent, greater than for 10 years afterwards, owing to the fall in the value of produce and inclement seasons.

2100. I understand your wish that all the tenants, large and small, should be enabled to purchase in the same manner, the State advancing nearly the whole of the sum and the landlord the rest ?—I should say the State advancing three fourths or four fifths. Three fourths is what they can do at present, the landlords allowing the other fourth to remain on the same terms, and I consider that they would be perfectly safe, as the tenant's interest would be ample for them to fall back upon in the case of the tenant failing to pay the interest as it became due.

2101. In the case of the larger tenants, those who are well off, on what do they rest their claim to assistance from the State to obtain money on cheaper terms than they would otherwise get it ?—One reason would be that the State advances money on more reasonable terms. If a man had surplus capital he could invest it better with them than he could at 3 per cent. The present terms upon which the Government offer to advance the three fourths are at the rate of 5 per cent., terminable at the end of 35 years.

2102. A tenant can borrow from the State upon these terms to buy his holding, if the landlord is willing to sell ; is not that so ?—He can borrow three fourths.

2103. Then the demand for fresh assistance rests on this, that the tenants are unable to find the other fourth ?—A great many of them could not.

2104. You have heard the questions which have been put to former witnesses and I need not repeat them ; do you consider that the tenants for whom you speak would be willing to pay the fair market price for their farms like anybody else, or would they expect, on the ground of being tenants, that they should have their farms below the market price ?—I should think they ought to have a preference, or a little more.

2105. " A preference, or a little more." What does that mean in more definite terms ?—I will explain that in a moment. I put in a written statement of my evidence, and the effect of that is to show that this estate has been very highly rented from the time it came into the Fishmongers' hands. In early times it was let to the Earl of Tyrone, and afterwards I believe leased to the Honourable John Beresford for 61 years, which lease expired in the year 1820. I am informed that the estate was let by the Fishmongers to the Beresford family for 400*l.* a year. They were getting a rental from the tenants of from 2,000*l.* to 3,000*l.*, 2,000*l.*, I believe, or a little more. Immediately the estate came into the company's hands the rents were at once raised without a valuation to nearly four times the amount the tenants had been paying before.

2106. (*Lord Coleridge.*) Do you mean that they were raised beyond the 2,000*l.* ?—Yes, four times, 2,000*l.* nearly.

2107. (*Mr. Firth.*) Do you mean that they were raised to 8,000*l.* nearly ?—Yes, and that without the company expending 1*s.* upon the estate. That was done at once. In a few years after that the estate was surveyed and valued. Some of the land was in rundale ; the farms were squared, put into shape, and then revalued, and that valuation amounted to about the same as the arbitrary rise of rent would in 1820. Leases, I think, were granted in 1824. These leases were, I think, for 21 years, and some of them, I think, for 19 years, with lives. About the time the leases expired we had a famine, a potato failure. At that time the company certainly did give an abatement of rent to their tenants of 10 per cent. to the larger farmers and 15 per cent. to the smaller farmers, which abatement was continued until 1852, when the estate was revalued by Messrs. Nolan and Son for the company. The revaluation did not increase the rent beyond what it was with the abatement off. It did not bring it up within 10 or 15 per cent. of what it had been from 1825 to 1845 or 1846.

2108. (*Chairman.*) Then, whatever may have happened in former years there can be no further rents fixed in an arbitrary manner ?—I am aware of that ; but one thing I want to point out is that it was taken or argued that where rents had been punctually paid for a period of years there could be no claim for abatement. These rents have been paid in one way or other. At that time there were industries that the small farmers had that they have not now. They were able to grow flax, and they earned a good deal of money by spinning and weaving.

2109. Is not all that a question that could be dealt with by a Land Court ?—Just so. Then the estate was valued at that time, and a considerable increase of rent put on, I may say, roughly, 20 per cent. over the estate. That was in 1872, and since then we have had a considerable fall, and I am sure the tenant right of any of those properties would not sell for anything like what it would have sold for five or six years ago, nothing like it.

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(1) *See* Supplementary Statement of Fishmongers' Company, p. 325 ; Evidence of Fishmongers' Deputation, p. 322.

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2110. But you cannot rest the demand to have the estate sold upon the ground of arbitrary rent, because that is put an end to. You can only rest it upon the ground that the tenants prefer to be proprietors rather than to be tenants at a fixed rent?—Yes; I stated the one reason why the tenants are anxious to become proprietors on the terms on which the Government lend the money. At the end of 35 years the whole is paid off, and at 20 years' purchase he is paying no more rent than he would have paid as a yearly tenant, while at the end of 35 years is his own landlord.

2111. But supposing that two or three bad years were to come, like those that we had in 1879 and 1880, do you think that those small tenants would be able to keep up the payments?—I think they would. They would be paying no more rent than they are paying now and have been paying.

2112. But if they were not able to do so, do you not think that there would be a great outcry against the Government if it attempted to enforce the instalment?—I do not think so. It is the same thing now. If they fail to pay the interest off, certainly their tenant right would be liable to be sold. The tenant's interest would be always a sufficient guarantee for both the first and second mortgages against any loss. There is one matter I would like to say has been lost sight of a little, speaking with reference to the Fishmongers' estate. I must say that the Fishmongers' Company have been most liberal in the way of erecting houses of worship for all denominations and schools, and also in supporting these schools; and in times past they have supplied slates and timber on new farms, only they have exacted pretty high rents. This is what I was going to remark; in estimating the number of years' purchase there is one matter that has escaped the notice of the other witnesses, that is, that the landlords have got to pay the one half of the county cess according to law. Some of them have contracted themselves out of it. I do not mention any names, but they have to pay one half the county cess, and they have to pay one half the poor rates; that is, those who have not contracted themselves out of it; and at present they pay the rent-charge or tithe, their share amounts in ordinary years to 2*s.* 6*d.* in the pound; that is 12½ per cent. The whole of that would be thrown on the tenants if they purchased. I put in several statutory declarations as to this supporting my statement.

(*The following printed statement was supplied by this witness.*)

This estate was let to the Hon. John Beresford, who held as a middleman under the company. His lease expired in 1820. The rental of the estate to Mr. Beresford was about 2,000*l.* As soon as the estate fell into the hands of the company they immediately quadrupled, or almost so, the former rents without having expended one shilling on the estate. A short time afterwards they altered the boundaries of the farms, or "squared" the farms, had the estate revalued, and kept the rents up to the figure originally arbitrarily fixed. The rents were so exorbitant that in many instance the tenants refused to accept the leases subject to the new conditions imposed. The rents were paid as best the tenants could until the year 1847, when the company were obliged to make an abatement, which they were compelled to continue up to 1852, when the estate was once again revalued, which did not increase the rents paid from 1857 to 1852, showing that the estate must have been grossly rackrented from the time at which it came into the hands of the company. After the revaluation of 1852 leases for 21 years were issued. In the year 1873, at the fall of these leases, another revaluation was made, and an increase of rent followed immediately to the extent of, roughly speaking, about 20 per cent., which now puts them greatly above the Government gross valuation, and I consider that if the tenants were in a position to go before the Sub-Commissioners they would be certain to get a reduction of rent to the extent of at least 25 per cent. But, being under leases, they are precluded from the enjoyment of this advantage. On the whole, I may say that the company have been liberal in providing places of worship, schools, &c., and in addition they have annually subscribed small sums for the benefit of the local clergy. They have also assisted in providing teachers for the schools, and during the famine times they advanced half the money required by their tenants on the estate for draining purposes, likewise supplying slates for new building on new farms. They have also erected houses and offices for some of the tenants, charging an interest of 5 per cent. on the outlay. With the exception of the above benefactions the company have not expended any money for the benefit of the tenants, as the building of houses, offices, draining, fencing, reclaiming, road making—in fact, bringing the land from a state of nature—have been the sole work of the tenants. They have also erected houses and offices for some of the tenants, charging an interest of 5 per cent. on the outlay. I think it is only just that, notwithstanding the leases imposed upon the tenants by the company, the former should be given advantage of the recent legislation, and that the rents should be reduced on an average 25 per cent. I think that the tenants after this would be willing, nay, anxious, to purchase the fee-simple at a fair number of years' purchase.

2113. (*Chairman to Professor Dougherty.*) You have heard what these gentlemen have said, and I believe you wish to add a few remarks of your own?—I approach the subject from a slightly different point of view. I am one of those who think that an occupying proprietary is the ultimate solution of the Irish land question, and I think that nowhere in Ireland could the experiment of an occupying proprietary be tried with better results than on the estates of the London companies, the tenantry of which are thrifty, industrious, and orderly to a degree. An experiment has already been tried in the case of the Waterford estates in county Derry and in the case of the church lands; and notwithstanding the fact that the tenants on the Waterford estates and the tenants on the church lands bought at a very high rate of purchase, and the fact that the years which have intervened have been exceptionably bad years for farmers in the north of Ireland, as everywhere else, I believe that the repayments of the loans advanced by the Government to enable these tenantry to purchase have been made most punctually. I spoke some little time ago to the local bank manager in my native village, who collects the annual repayment for the Church Commissioners and for the Treasury, and he told me then that there was not a single tenant in that district in arrears. Since then, I believe, one or two have fallen into arrears. The tenantry in county Derry have suffered as I say as everywhere else in consequence of the bad seasons, and in approaching the companies in order to purchase these estates they are anxious to secure that they should not be overburdened by the annual repayment in respect of the purchase money. They are entitled to three fourths of the purchase money from the Treasury under the Land Act of 1881, supposing they arrange to buy. If they have to go into the open market to borrow the remaining fourth the probability is that they will have to pay a very high rate of interest, and that rate of interest, added to the annual repayment to the Government, would amount to a heavy burden, much more than a fair rent, and having regard to their experience in those past years during bad seasons they are unwilling to burden themselves in the future in that way. What they are anxious to do then is to borrow at a fair rate, or a moderate rate, that balance of the purchase money which about three fourths of the tenantry speaking generally would require to borrow in order to purchase. We believe that considering the value of the tenant right in Ulster the security offered for that fourth of the purchase money would be a perfect security—a good security—and it seems to me that instead of going into abstract questions as to the right of the tenant to purchase at a lower rate than other people in the open market, the point we have to address ourselves to is rather this, if it is desirable to try this experiment of an occupying proprietary upon those estates, should we not endeavour to start the experiment upon such terms as would be likely to make it a success.

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2114. You would, in fact, propose to give a bounty on the creation of those peasant proprietors, because I need not point out to you that enabling people to borrow on lower terms than they otherwise can borrow is to that extent a gift?—No doubt it is a gift, but a gift for a great public purpose may be desirable and even necessary in some circumstances.

2115. I am not disputing that. I only put it to you in that way, whether what you are proposing does not come to this, that you would give a State bounty upon the creation of peasant proprietors?—It would be hardly a State bounty to ask the companies who have undoubtedly derived a large revenue from these estates for a long series of years to advance, at a moderate rate of interest, a fourth of the purchase money to the tenants who have made those estates so valuable by their improvements; and I may point out that one company (the Clothworkers' Company) in selling to a private landowner (Sir Hervey Bruce) did as a matter of fact advance about half, or more than half, the purchase money at a very low rate of interest, indeed something like 2 per cent., in order, I suppose, to enable him to purchase. If they could do that in the case of Sir Hervey Bruce, I should think that they could much more do so for a purpose which is now recognized on all hands and by all parties in the State as desirable.

2116. You think the tenant right would be security enough?—Undoubtedly. It is a most valuable security.

2117. And you think that if any considerable number of those tenants fell short in their payments there would not be any practical difficulty in enforcing payment?—At the present moment I happen to know a case within my own experience where a tenant on the Waterford estate borrowed the balance of the purchase money which he required. Unfortunately he has not been able to maintain his payment and interest on that portion of the purchase money, and the creditor went into the court the other day and obtained a judgment, and the farm is to be sold within six months to satisfy this judgment. I know the locality well, and it is recognised on all hands as being (at the suit of the creditor) perfectly fair. Perhaps I may be allowed to offer one word of explanation. I am sorry that Sir Sydney Waterlow has left the room. My reading of history is slightly different to his as to the manner in which these companies acquired these Irish estates. In point of fact the King in Council required the citizens of London to provide a certain amount for the purposes of the plantation in Ulster. That sum was levied by poll tax on the citizens. Every citizen was then a member of some trade, and these trades, as we know, were organised in guilds, and the guilds furnished a convenient machinery for the purpose of raising this poll tax. The money came out of the pockets of the citizens of London, and not out of the money of those guilds.

(*Dr. Todd.*) Would your lordship allow me to explain one or two points. The main point is the claim made by the tenants to rebate from the purchase money or bonus over an ordinary purchaser. I think that feeling exists very generally, and that there is a very substantial basis for that feeling. It is what Mr. Dunn points out that the tenants by purchasing will have to pay all the local burdens. That is a substantial basis to start with. If the landlord purchased he would have to bear a share of the local burdens. On the other hand, the tenant must bear all.

2118. (*Lord Coleridge.*) Is not that so much off the purchase money? If you buy land in England you buy it subject to the local charges?—There is the feeling that the public entertain, namely, that, owing to the present course of legislation, the burdens are increasing on the landlords and falling off the tenants. The general feeling is that the landlords' portion of the property will be taxed more in future, at least, that is the feeling in Ireland.

2119. If I went and bought I should be in the same position as a tenant; I should have to pay all these things, and if I was a wise man I should take that into account in the price I paid?—Certainly; but in case of purchase the tenants would have to support all the educational, religious, and charitable institutions to which the companies now contribute, and that a private purchaser might not assist in keeping up. Then there is a further point. Lord Derby suggested that the Land Court could take into consideration previous rackrenting. Now there is no provision in the Land Act authorising or empowering the Land Court to go into the past history of rackrenting. The tenants feel that they have increased the value of the estates very largely, but in fixing the rent the court has no power to take that into account, and, that being so, the tenants feel that they have a strong moral claim to some consideration on that account. The Land Court just fixes the rent, and will not take that into account. But what I suggest by way of avoiding any difficulties is this, if it is thought advisable that the estates should be sold to the tenants by the companies, that a Commission should inquire into the price that each tenant should pay for his holding; it might be the Land Commission (as at present established) if not, any other Commission; let them take all the circumstances into account, and then fix the price. If that were done the tenants would be quite satisfied to pay whatever price any court would say they should pay under all the circumstances.

Adjourned to Wednesday next at 4 o'clock.

In addition to the statements printed or written, which have been mentioned, the following papers were put in by the witnesses from the Irish estates of the Companies.

APPENDIX.

(A.)

(1) THE LONDON COMPANIES' ESTATES IN CO. DERRY.—Short statement of their history and management (prepared by Mr. Todd and Prof. Dougherty).

1. In the reign of James I. six counties in Ulster were confiscated. The plantation of Ulster was projected for the purpose of colonizing Ulster with English and Scotch settlers.

2. These lands were granted by the Crown subject to certain conditions, known as the Articles of Plantation.

3. Article twelfth runs.—"The said undertakers "shall not demise any part of their lands at will only, "but shall make certain estates for years, for life, in "tail or in fee simple." Very light rents were reserved by the Crown—about 1½*d.* per acre. Large quantities of rough land, marked unprofitable, were handed over to the undertakers rent free. These advantages were granted to the undertakers by the Crown with the view of securing corresponding benefits to the tenants who might settle on their lands. The Articles of Plantation were in fact intended to secure to the Ulster tenantry, among other things, fixity of tenure and easy rents.

4. Subject to these articles the City of London, at the request of the King, undertook the plantation of the county of Coleraine, the name of which was in consequence changed to county Londonderry.

5. For the purposes of the plantation, the citizens of London were assessed in the sum of 40,000*l.* This tax on the citizens were levied through the convenient agency of the companies, with one or other, of which every freeman of the City of London was then connected. Note, that this money did not come from the corporate funds of the companies.

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(1) *See* Statement of Fishmongers' Company, p. 324; Ironmongers' Statement, p. 353; Salters' Statement, p. 355; Skinners' Historical Account, p. 359.

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6. In 1609 the mayor and commonalty of the City of London made an agreement with the Privy Council for the plantation of the county Londonderry. A Committee of Common Council, since known as the Irish Society, was appointed to manage this plantation scheme. In 1613 this society was chartered by the Crown, and obtained a grant of nearly all the lands in county Londonderry.

7. In 1615 the King granted a license to the 12 leading companies to hold in mortmain whatever portion of the lands in the original grant to the Irish Society that society might give them. This is the first recognition of the companies by the Crown.

8. The lands having been previously divided by lot among the 12 leading companies, with each of which several minor companies were associated, the society in 1618 executed a grant of their proportions to the companies, retaining for itself a large amount of undivided property, including the lands of Derry and Coleraine, and adjacent lands, fisheries, woods, &c. This property is now administered by the society in accordance with the decision of the House of Lords in the Skinners' case, as a trust for public and charitable purposes connected with the city and county of Londonderry, and the town of Coleraine.

9. "For rackrenting, failure to make certain estates to their tenants," and other breaches of the Articles of Plantation, the Irish Society and the London companies were sequestrated in 1630; and in 1637 the charter of the Irish Society was revoked, and the grant to the companies cancelled. While the estates were in the King's hands, a commission was issued "for the "purpose of entering into contract for leases with the "tenants on the plantation in Ulster," the interests of the tenantry being always paramount with the Crown.

10. In 1650 the Irish Society got a patent from Cromwell granting them the lands of which they had been deprived. In 1662 Charles II. renewed the charter of James I., and the society re-granted their proportions to the companies "subject to all the "original conditions and articles."

11. Immediately afterwards the companies demised their estates to middlemen by leases, of which only two contained covenants protecting the interests of their tenants. The Crown ceased actively to interfere in the superintendence and guardianship of the plantation. The tenants on these estates were then left at the mercy of the middlemen. The landlords spent nothing on improvements, having no interest in doing so. Lands were drained and reclaimed, fences erected, and houses built solely by the industry and with the capital of the tenants. The increase in value of these lands, exclusively created by successive generations of tenants, is seen from the fact that the value of the companies estates at the time of the plantation was estimated to be under 1,800*l.* a year, while the estimated rental of these estates at present is 124,000*l.*

12. During the 17th and 18th centuries four of the companies sold their estates, the Irish Society requiring in each case a bond of indemnity. The leases to middlemen granted by the other companies expired at various times during the present century. The companies have since, in every case, by periodical revaluations, enormously increased the rental. Here is an instance taken at random from one of the most liberally managed of these estates, the Fishmongers'. A farm of 96 statute acres was held under the middleman at the yearly rent of 7*l.* 10*s.* After the original letting by the middleman the tenant reclaimed a large part of the farm, without any assistance whatever, from the landlord. On the company resuming possession of the estate in 1820 the rent was raised at a single bound to 75*l.* a year. During the famine year this rackrent was reduced to 58*l.* It has since been raised to 66*l.* 5*s.* Again, in 1803 the Skinners' Company leased their estate to Robert Ogilby, in consideration of a fine of 25,000*l.*, and an annual rent of 1,500*l.* On resuming possession of the estate in 1872 a revaluation took place and the rental was raised to 13,000*l.*, neither the middleman nor the company having, in the meantime, spent a shilling upon the improvement of the property.

13. In 1871 the Clothworkers' Company sold their estate to Sir Hervey Bruce. The rent was raised in 1874 in many instances from 30 to 80 per cent. It has been decided judicially that unrestricted tenant right exists on this estate. Notwithstanding this, the rents are now on the average as high on the Clothworkers' estate as on the adjoining Bruce estate, where the tenant right has been restricted to five years' purchase. The result is an enormous encroachment upon the tenant's interest.

14. It is admitted on all hands that the more widely diffused ownership of land in Ireland is desirable. The companies' estates offer an admirable field for the experiment of a tenant proprietary. The tenants are intelligent, thrifty, and industrious. They have, under the Articles of Plantation, rights in the soil beyond those enjoyed by ordinary occupiers of land. No private sentiment can be violated by the forced sale. And as they are unencumbered with mortgages or family charges the difficulties of transfer in the case of these estates are reduced to a minimum.

(B.)

DOCUMENTS relating to the Proposed Sale of the CLOTHWORKERS' COMPANY in the County of Londonderry, and the Question of Parliamentary Action in Reference to the LONDON COMPANIES and the IRISH SOCIETY generally.

To the WORSHIPFUL COMPANY OF CLOTHWORKERS,
LONDON.

The Memorial of the Undersigned Tenants on the Manor of the Worshipful Company of Clothworkers.

Respectfully showeth—

That they are informed that your Worshipful Company are about to sell your estate in county Londonderry.

That they regret, before offering it to any private individual, your Worshipful Company did not give the tenants on your estate the opportunity of purchasing their holdings, under the Irish Land Act of 1870.

That if such opportunity be afforded them, they are prepared, considering the advantages offered to tenants under the said Act, to become purchasers of their own holdings.

Your memorialists therefore pray your Worshipful Company to give them such opportunity of purchasing, believing that if the estate be sold it will realise a much larger sum if purchased by the tenants than if sold in the manner contemplated.

And your memorialists, as in duty bound, will ever pray.

Presented by the following deputies,—

S. M. GREER,
STEWART HUNTER,
JOHN MARK,
JAMES L. WALLACE,

On behalf of themselves and 166 other tenants on the Clothworkers' estate.

10th April 1871.

The deputation also handed the clerk the following letter:—

To the ESTATES COURT of the WORSHIPFUL COMPANY of CLOTHWORKERS, London.

GENTLEMEN,

WE, the undersigned, take the liberty of waiting upon you as a deputation from the tenants of your Irish estate to present the accompanying memorial largely signed by the tenants, and praying that they may be allowed the opportunity of purchasing from your Worshipful Company their respective holdings. If allowed an interview, we are prepared to submit a proposition by which a limited number of your tenants acting on behalf of all will undertake to purchase the whole of the manor of Clothworkers, and to give a higher price for it than any private speculator could afford to give, and to do this within a limited time under the Land Act of last session.

Hoping that this proposal may be entertained, and that the consequent negotiation may have a favourable result,

We have, &c.
S. M. GREER.
J. MARK.
STEWART HUNTER.
JAMES L. WALLACE.

20th April 1871.

Deputation from Companies' Irish Estates.

12 July 1882.

Clothworkers' Hall, Mincing Lane,
London, 20th April 1871.

GENTLEMEN,

REFERRING to the "memorial" placed in my hands this morning (which will be laid before the court at its real meeting) and to your request for an interview with the Estates Committee "to submit a proposition "by which a limited number of the tenants, acting on "behalf of all, will undertake to purchase the whole "of the manor of Clothworkers' under the provisions of "the Land Act of last session," I have to repeat the notification already made to Mr. Greer by direction of the Sub-Estates Committee for Irish Affairs (and which it was hoped would have spared you the trouble and expense of a journey to London) that "after having "consulted their professional adviser they were of "opinion that the arrangements with Sir Hervey "Bruce are of such a nature as to preclude the possi"bility of commencing any further negotiation for the "sale of the estate."

Under these circumstances the (Irish) Committee conceived that they would not be justified, having regard to the mutual position, in admitting any proposal on the subject in question.

There will be the monthly meeting of the Estates Committee held on Wednesday, when your application will be read, and if you should think it desirable after receipt of this intimation I shall be happy to give you then more direct expression of their views.

I have, &c.
OWEN ROBERTS,
Clerk.

Messrs. S. M. Greer, James L. Wallace, Rev. John Mark, Stewart Hunter.

To the MASTER AND COURT OF ASSISTANTS of the WORSHIPFUL COMPANY OF MERCHANT TAILORS.

GENTLEMEN,

WE, the undersigned, being a deputation from the tenants on the manor of the Clothworkers, in the county of Londonderry, in which manor, as we understand, your Worshipful Company have a substantial interest, take the liberty of waiting upon you, to represent to you the anxiety of all the tenants on that estate to purchase their respective holdings. If allowed an interview, we are prepared to submit to you a plan, by which a limited number of the more substantial tenants, acting on behalf of all, will undertake to purchase the whole manor of Clothworkers, and to give a higher price for it than any private speculator could afford to give; and to do this within a limited time, under the Land Act of last session.

Hoping that this proposition will be favourably entertained, and that the consequent negotiation may be successful, and that in the meantime you will withhold your assent from any other arrangement, we have the honour to be,

Yours, &c.
S. M. GREER.
JAMES L. WALLACE.
JOHN MARK.
20th April 1871. STEWART HUNTER.

Merchant Tailors' Hall, London, E.C.,
21st April 1871.

SIR,

I AM directed by the master of the Merchant Tailors' Company to acknowledge the receipt of your letter of the 20th inst., and to inform you that he has consulted with his colleagues in the court of this company upon the question raised in that communication, and that they fully endorse the opinion which he expressed to you at the personal interview which he had the honour to have with you on Wednesday last, viz., that the arrangements entered into with Sir Hervey Bruce, Bart., M.P., as to the sale of the Clothworkers' manor in Ireland, cannot honourably be disturbed.

I am to add that under these circumstances the master and wardens of this company presume that you will not urge the reception of a deputation on the subject.

I have, &c.
FRANCIS G. FAITHFUL,
Clerk to the Company.

S. M. Greer, Esq.

To OWEN ROBERTS, Esq., Clothworkers' Hall.

SIR,

WE beg to acknowledge your communication of the 20th instant, informing us that the sub-estates committee of the Clothworkers' Company were of opinion the arrangements with Sir Hervey Bruce were of such a nature as to preclude the possibility of commencing further negotiations for the sale of the estate.

We assume from your letter that the sale has not been legally completed, and as the sub-committee, who seem to have conducted the negotiations with Sir Hervey Bruce, may have unintentionally overlooked the strong prior claims the tenants of the estate have on the company to buy, or may have been ignorant of the facilities now afforded by the Government to raise the money to carry out the sale.

We think it right to bring both these matters fully before the court of the Clothworkers' Company and the other companies associated with them, and we feel confident that the moral and equitable claims of the tenants whose forefathers settled on your estate 250 years ago, and by whose industry and loyalty the estate has been improved and preserved for you will, with the full court of the company, overcome any difficulty which the sub-committee may have got into by entering into negotiations with Sir Hervey Bruce.

We have made our calculations and beg to mention that the tenants are prepared to buy at 165,000*l.*, and we request you will lay this letter before the estates committee real on Wednesday 1st, with the view of bringing the matter before a full court of the company.

Yours, &c.
STEWART HUNTER.
JOHN MARK.
JAMES L. WALLACE.
24th April 1871. JOHN MATHEWS.

To FRANCIS G. FAITHFUL, Esq., Merchant Tailors' Hall.

SIR,

IN reference to the communication we addressed to the Worshipful the Merchant Tailors' Company on 21st inst., relative to the sale of the Clothworkers' estate in Ireland, we beg to inform you that we have since then received a communication from the clerk of the Clothworkers' Company, from which we infer that the sale negotiated by a sub-committee of the Clothworkers, a meeting is called for Wednesday the 26th, and to ratify the proposed sale.

As we are aware your company has a large interest in the estate, we think it right to inform you that the tenants are prepared to give 165,000*l.* for it, and we are sure the members of your company who will be called upon to confirm the sale to Sir Hervey Bruce will not overlook the claims of the tenants, whose forefathers emigrated from England and Scotland, and settled the estate with a loyal and peaceable people in times of great trouble and danger, and by whose toil and industry the Clothworkers' Company's estate has been so much increased in value since your company (the Merchant Tailors) sold their estate in 1727 to the Richardson family at 20,000*l.*

We regret the sub-committee of the Clothworkers' Company seem either to have overlooked these claims, or to have taken it upon themselves to decide upon interests of such vital importance to the tenants, without giving them an opportunity of expressing their views, and we trust the court of the company will, on fuller consideration of the matter, treat the tenants in a different way.

Your obedient servants,
JOHN MATHEWS.
STEWART HUNTER.
JOHN MARK.
24th April 1871. JAMES L. WALLACE.

To the HONOURABLE THE IRISH SOCIETY, LONDON.

GENTLEMEN,

WE, the undersigned, being a deputation from the tenantry (in the county of Londonderry) of the Worshipful Company of Clothworkers, London, and of the Coleraine Town Commissioners, having heard that the said company are about to dispose of their Irish estate, approach your honourable society to inquire whether you have any control over the conveyance of said property, and if so, to pray that you may be pleased to withhold your sanction from the sale as contemplated,

Deputation from Companies' Irish Estates.

12 July 1882.

and use your influence to afford the tenants the opportunity of becoming purchasers of their own holdings under the Irish Land Act of 1870, in accordance with the prayer of their memorial to the said Clothworkers' Company. We also pray your honourable society to see that a fair proportion of the purchase money arising from said sale be allocated to local purposes.

S. M. Greer.
Stewart Hunter.
John Mark.
John Mathews.
Dated 21st April 1871. James L. Wallace.

The reply of the Honourable the Irish Society.

It was resolved that the memorialists be informed that the society having referred the memorial to their law officer are advised that the society have no power to exercise any control over the Clothworkers' Company, in dealing with their proposition, subject to the exceptions and reservations contained in the grant from the society to the company.

Irish Chambers, Guildhall,
London, 25th April 1871.

Extract from the Minute Book of the Proceedings of the Coleraine Town Commissioners.

17th April 1871.

The Commissioners met this day to take into consideration whether any and what action should be taken in reference to the honourable the Irish Society, and to the contemplated sale of the estate of the Worshipful Company of Clothworkers in this county.

The memorial of the tenants on the estate of the Clothworkers' Company to the Premier in reference to the intended sale having been read. It was unanimously resolved:

> That the Commissioners approve of said memorial, and that a deputation be sent by them to co-operate with the deputation from the tenants on the Clothworkers' estate to support it, and to urge the necessity of hastening the promised action of the Government in reference to the Honourable the Irish Society and the London companies, and thereby prevent them from alienating the property which they hold in trust for this locality.

John Mathews,
Chairman of Commissioners.
John McKillip,
Clerk of Commissioners.

(C.)

On the 3rd March 1870, a deputation from seven London companies' estates waited on Mr. Fortescue in London, and presented the following memorial:—

To the Right Honourable C. P. Fortescue, M.P.,
Chief Secretary for Ireland.

The memorial of a deputation of the farmers on the estates of the London companies in the county of Londonderry, in reference to the purchase of the following London companies' estates, viz.:—

The Salters. The Ironmongers.
The Drapers. The Clothworkers.
The Mercers. The Fishmongers.
The Skinners. The Grocers.

> We humbly pray you to inquire of the above companies whether they would be disposed to sell their Irish estates on the terms in the Irish Land Bill now before Parliament.

Presented 3rd March 1870.

At the same time the deputation handed in a written statement, setting forth the grounds on which they sought his aid, amongst others, their rights as settlers under the Articles of Plantation.

The deputation then expressed their fears that these companies would sell in such a way as not to afford the tenants an opportunity of becoming the purchasers of their holdings

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(D.)

Memorial to the Worshipful Company of Fishmongers, London, from their Tenantry on the Manor of Walworth, County of Londonderry.

The humble Memorial of the tenants on the estate of the Worshipful Company of Fishmongers most respectfully sheweth:—

That memorialists deeply regret that any cause of disagreement has arisen between them and your Worshipful Company.

That formerly the affairs of the estate were administered in a manner satisfactory both to landlords and tenants.

That the ancient custom of tenant right was respected, and that rents were fair.

That the tenants were contented, they did not fear to expend their utmost penny in permanent improvements, knowing that no advantage would be taken of them, and they regarded the company as just and considerate landlords, but that now a feeling of deep dissatisfaction and distrust pervades the entire estate.

That a few years ago the company sought to abolish the Ulster custom on the estate by requiring the purchasers of tenant right to sign a covenant, binding them to surrender their holdings at the end of the term, without any claim of any kind or description whatsoever.

That this was a vital blow aimed at the principle of the ancient custom, and excited feelings of uneasiness and alarm.

That the agreement which they have been recently required to sign has renewed the apprehension that it is the desire of the company to extinguish tenant right on the estate.

That on the faith of this custom, which, until lately, was never interfered with by the company, large sums have been paid for tenant right, and many permanent improvements made; that the abrogation of that custom by the landlords, unless by purchase, would be an act of confiscation.

That the rise of rents proposed to be exacted from memorialists is on a scale unparalleled and unheard of in this country: that it would virtually nullify tenant right, and act as a heavy discouragement to all further improvement.

That the improved value of their lands is the result of the tenants' industry, without any outlay upon the part of the company, and that the proposed rents would be a grievous charge upon their own improvements.

The memorialists, with a due regard to their own interests, cannot undertake to pay them.

That the estate is at present let higher than the principal estates in this county; that at the proposed rents it would be considerably higher than the highest rented of those estates.

That, from information derived from trustworthy sources, memorialists have reason to believe that, having regard to the circumstances of England and Ireland, and to the fact that in the former the permanent improvements are mainly executed by the landlord, the present rents of your Worshipful Company's estate are relatively higher than the letting value of ordinary agricultural holdings in England.

That memorialists venture to submit that it is not unreasonably expected that a great public company (and the more so, as they are absentees) should deal with their tenants on much more generous and liberal terms than private proprietors.

That although the value of live stock has risen considerably of late, that taxes have also greatly increased, and that the cost of labour has doubled during the last 20 years, that it is still increasing, and there is every prospect that before long it will be still greater than it is now.

That the case of the occupiers of reclaimed land is one of peculiar hardship. Their farms are the result of their hard toil and unremitting industry; the soil at the best is very inferior; the climate so moist as to make the harvests extremely precarious; that the small holders, with the greatest care and frugality, can realise only a scanty subsistence; that the interest on the cost of reclamation would alone be a reasonable rent, and that the proposed increase is exorbitant and oppressive.

That hitherto the occupying tenants have been heavily taxed for public works, for the building of bridges, the making of roads, and keeping them in repair; for gaols, bridewells, court-houses, lunatic asylum, infirmary, salaries of county officials, and charges in connexion with the administration of the laws; that it is but just that the owners of property, inasmuch as they participate in the benefit of the above, should bear their fair share of the burden; that the Land Act provides that, in all new lettings, the landlords shall pay one half of the county cess.

That if on any such new lettings the landlords should seek to relieve themselves of this tax, by adding their share to the tenants' rent, they would be evading a charge which, in strict justice, they ought to bear, and would be depriving the tenants of the boon which the Legislature intended to confer upon them.

That formerly the holders of mountain farms, in conformity with the usage of the country, were entitled to and did charge those persons who cut turf on their holdings a certain sum for each day's cutting as compensation for the injury sustained by reason of the trespass committed, but that for some years past they have been deprived of such compensation.

That nothing should be more deprecated than angry controversy and litigation between landlords and tenants; that, if it should unfortunately come to that, memorialists have not provoked it.

That memorialists have always fulfilled the obligations of good tenants; that they are still ready and willing to do so; that they earnestly desire peace, and that it rests with your Worshipful Company whether the former satisfactory relations shall be restored.

That memorialists respectfully ask permission to inspect Mr. Nolan's valuation.

That memorialists pray your Worshipful Company will take the premises into your favourable consideration, and memorialists, as in duty bound, will ever pray.

20th September 1872.

SIGNATURES.

Thomas Cather.
Hugh Lane.
William Given.
Thomas Moody.
Stephen Gilmore.
Sarah Atkinson.
Samuel Hill.
John Robinson.
Robert Warke.
James Douglas.
Louisa and Isabella George.
Mary Henry.
George Wilson.
George Kane.
Arthur Gibson.
Joseph Cherry.
William Hemphill.
James Toner.
James Canning.
Michael Bryson.
Susan Toner.
James Leach.
William Duffy.
Thomas Beattie.
John Leach.
Philip Bryson.
John M'Laughlin.
William Connor.
Patrick Leach.
William Canning.
Patrick O'Hara.
Robert Diven.
John Loane.
Michael Cresswell.
Eliza Jamieson.
Rebecca Cochran.
Benjamin M'Kissock.
John Donnelly.
Martha Hood.
James C. Cresswell.
James Connor.
Jane M'Gowan.
Samuel Craig.
William Conn.
Andrew Dunn.
Samuel Limerick.
David Nutt.
Lenox Atkinson.
Margaret Smith.
Sarah Kerr.
Ellen Reid.
Alexander White.
James Cherry.
John Irwin.
William Brizell.
Alexander Witherow.
John Bryson.
Marshall Eakin.
James Irwin.
Samuel Baird.
Michael Brolly.
Mrs. Donaghy.
Patrick Morian.
William John Miller.
John Jamieson.
David Jamieson.
William Whiteside.
James Ellis.
Robert Eakin.
Patrick M'Feely.
William M'Donagh.
Neil M'Donagh.
David Millar.
Robert Sherrard.
Stewart Hamilton.
John M'Cully.
William Hamilton.
David Hamilton.
Thomas Gormley.
Michael Gormley.
Mary Smith.
John Hamilton.
Ralph Hamilton.
William Hamilton.
Samuel Blair.
Thomas Mullan.
William Fleming.
John Long.
James Long.
William Mullan.
William M'Laughlin.
John Scott.
James Tom.
John Mitchell.
John Cartin.
John Hargan.
William Crooks.
John Millar.
Michael M'Closkey.
William Mullan.
Thomas Brown.
James Brizzle.
Thomas Connor.
John Brizzle.
William Rosborough, sen.
William Rosborough, jun.
Joseph Rosborough.
John Rosborough.
Robert Monteith.
Andrew Williams.
John Lyons.
David Sherrard.
Neal M'Laughlin.
John Connor.
James Rosborough.
John Bryson.
James Connor.
John M'Gowan.
Bryan M'Gowan.
Samuel Craig.
Samuel M'Crea.
Alexander M'Ginness.
James Millar.
Samuel Collins.
Bryan M'Gowan.
Bryan Bryson's Repr's.
Arthur Connor.
Philip Connor.
James Kane.
John Townley.
James Connor.
John M'Cloy.
Patrick M'Ginness.
James M'Ginness.
John Patchell.
James Stewart.
James Devine.
Joseph Devine.
Joseph Craig.
Daniel M'Feely.
William M'Donagh.
Henry M'Donagh.
Manasses Quigley.
Felix Harman.
Edward Devine.
John M'Closkey.
Edward M'Closkey.
Charles Mullan.
John Tracey.
Patrick O'Kane.
George O'Kane.
William Lyons.
William Swan.
John Duffy.
Arthur Duffy.
Patrick Brolly.
James O'Neill.
Mrs. M'Keever.
James Marshall.
Felix Treacy.
Catharine Brolly.
Hugh Cartin.
Arthur Duffy.
Michael M'Donagh.
William M'Keever.
John Whiteside.
Patrick M'Donagh.
Adam Nilson.
Manasses Carland.
Joseph A. Newell, P.M.
William Brown.
James Shannon.
Robert Clarke.
Daniel Ferris
Matthew Watt.
Joseph Irwin.
Stewart Christie.
James Christie.
Thomas Craig.
Jane Christie.
John Marshall.
Samuel Marshall.
Andrew Hamilton.
James Gibson.
James Christie.
Thomas Gibson.
Andrew Leslie.
Andrew Gibson.
Joseph Christie.
Martha Dunn.
Jane Turnbull.
Benjamin Irwin.
William Patchell.
George Cather.
Joseph Thompson.
Thomas Loughrey.
James Reid.
William Crawford.
George Loughrey.
William Reid.
William Farren.
George Proctor.
Andrew Robinson.
Robert Morrow.
Henry Hyndman.
William Morrison.
William James Patchell.
John Eakin.
James Loughrey.
James Connor.
John Brolly.
Joseph Ferguson.
James Leach.
Robert Ferguson.
Robert Cochran.
William Cochran.
John Quigley.
John Wm. Rodgers, P.M.
James Miller.
Thomas Miller.
John Blair.
Thomas Blair.
Joseph Cochran.
William Cochran.
Joseph Eakin.
Andrew Eakin.
John Eakin.
Joseph Eakin, jun.
Thomas M'Comb.
Robert M'Kinley.
George Craig.
James Horner Eakin.
William Eakin.
William M'Laughlin.
William James Guthrie, sen.
Robert Barber.
John Tedley.
Samuel Parkhill.
Thomas Smyth.
John Walker.
James Biggar.
Robert Hamilton.
Samuel Parkhill.
Michael Rodgers.
Samuel Ross.
William James Ross.
William M'Ginnis.
William Ferguson.
Alexander Parkhill.
James Stirling.
Adam Caldwell.
William Gillespie.
Robert Ogilby.
John Kelly.
James Caldwell.
John Murray.
Ezekiel Caldwell.
James Parkhill.
John Burns.
Thomas Burns.
George Burns.
James Burns.
John M'Ginnis.
Robert M'Ginnis.
William M'Ginnis, sen.
John M'Laughlin.
William Tedlie.
Daniel Donaghy.
William Coyle.
Edward Coyle.
Alexander Gilfillan.
Alexander Burns.
Matthew Sloan.
James Ross.
William James Guthrie.
William Guthrie.
Jacob Morrison.
Margaret M'Clelland.

Deputation from Companies' Irish Estates.

12 July 1882.

This memorial was accompanied with the following documents reproduced herein-under under the headings A, B, C, D. E, viz. :—

A. Statement from Townlands.

B. Statement of Rentals.

C. Extract from opinion of Mr. Holmes.

D. Extract from speech by the Right Hon. Chichester Fortescue.

E. Extract from the "Times" newspaper.

A.

STATEMENT received from 39 TOWNLANDS, showing the present RENT, the proposed RENT, and the per-centage of Increase on each Holding.

CARNAMUFF.

Occupiers' Names.	Present Rent.			Proposed Rent.			Increase per Cent.			Land Reclaimed.
	£	s.	d.	£	s.	d.	£	s.	d.	
Joseph Thompson	36	0	0	46	0	0	27	15	6	50 acres.
John Townley	32	0	0	56	0	0	75	0	0	75 „
John Eakin	12	0	0	40	0	0	233	6	8	80 „
William Morrison	32	0	0	38	0	0	18	15	0	
Henry Hyndman	31	0	0	35	0	0	12	18	0	
James A. George	10	0	0	17	0	0	70	0	0	25 „
John Quigley	9	0	0	20	0	0	122	4	5	30 „
James M'Ginnis	12	0	0	20	0	0	66	13	4	32 „
Patrick M'Ginnis	10	0	0	20	0	0	100	0	0	24 „
Thomas Loughrey	34	0	0	50	0	0	47	1	2	
Wm. James Patchell	13	10	0	27	0	0	100	0	0	40 „
„	18	0	0	24	0	0	33	6	8	

DUNBROCK.

Occupiers' Names.	Present Rent.			Proposed Rent.			Increase per Cent.			Land Reclaimed.
	£	s.	d.	£	s.	d.	£	s.	d.	
James Leech	12	10	0	18	0	0	44	0	0	11 acres.
James Connor	6	0	0	9	8	0	56	13	4	5 „
James Connor	11	0	0	17	0	0	54	10	10	24 „
James Loughery	9	0	0	20	0	0	122	4	5	44 „
John Brolly	6	0	0	8	16	0	46	13	4	6½ „
John Loane	34	10	0	43	0	0	24	12	9	
Philip Connor	5	0	0	9	10	0	90	0	0	
James C. Creswell	48	0	0	55	0	0	14	11	8	
James Connor	8	9	0	12	0	0	42	0	2	

SISTROKEEL.

Occupiers' Names.	Present Rent.			Proposed Rent.			Increase per Cent.			Land Reclaimed
	£	s.	d.	£	s.	d.	£	s.	d.	
John Breeson	23	15	0	36	0	0	51	11	6	40 acres.
Arthur Connor	13	0	0	20	0	0	53	16	11	16 „
John Craig	11	14	0	21	0	0	79	9	9	31 „
Samuel M'Crea	3	10	0	6	0	0	71	8	6	14 „
Alexander Maginnis	2	15	0	5	10	0	100	0	0	9 „
Brien M'Gowan	15	0	0	19	0	0	26	13	4	
James Collins	25	10	0	34	0	0	33	6	8	1 „
Brien Breeson	43	0	0	52	0	0	20	18	7	15 „
James Miller	10	10	0	18	0	0	71	8	6	20 „
James Connor	9	0	0	14	0	0	55	11	1	10 „
Philip Connor	9	0	0	14	0	0	55	11	1	10 „
James Kane	4	5	0	9	0	0	111	15	3	20 „
Brien M'Gowan	8	10	0	12	0	0	41	3	6	6 „
Mrs. M'Gowan	14	0	0	18	0	0	28	11	5	
John M'Gowan	10	10	0	18	0	0	71	8	7	

NEDD.

Occupiers' Names.	Present Rent.			Proposed Rent.			Increase per Cent.			Land Reclaimed.
	£	s.	d.	£	s.	d.	£	s.	d.	
Michael Creswell	33	0	0	42	0	0	27	5	5	30 acres.
Mrs. Conn	34	0	0	40	0	0	17	12	11	
John M'Cloy	26	10	0	35	0	0	32	1	6	
Robert Cochrane	10	10	0	15	0	0	42	17	1	20 „
William Cochrane	10	10	0	15	0	0	42	17	1	20 „
Samuel Craig	32	10	0	40	0	0	23	1	6	30 „
„	33	0	0	40	0	0	21	4	2	
Martha Hood	21	0	0	24	0	0	14	5	8	

OUGHILL.

Occupiers' Names.	Present Rent.			Proposed Rent.			Increase per Cent.			Land Reclaimed.
	£	s.	d.	£	s.	d.	£	s.	d.	
John Donnelly	5	0	0	7	0	0	40	0	0	
Eliza Jamieson	8	10	0	11	0	0	29	8	2	
Rebecca Cochrane	11	0	0	14	0	0	27	5	5	
B. M'Kissack	11	0	0	14	0	0	27	5	5	

CLACK.

Occupiers' Names.	Present Rent.			Proposed Rent.			Increase per Cent.			Land Reclaimed.
	£	s.	d.	£	s.	d.	£	s.	d.	
William Hemphill	25	0	0	40	0	0	60	0	0	37 acres.
James Toner	13	0	0	15	0	0	15	7	8	2 „
Robert Swan	13	15	0	18	0	0	30	18	2	2 „
James Toner	13	10	0	16	10	0	22	4	5	1 „
Michael Breeson	14	10	0	24	0	0	65	10	4	24 „
John Leech	12	10	0	14	0	0	12	0	0	
James Canning	6	2	6	12	15	0	108	3	3	20 „
Thomas Beatty	6	0	0	10	0	0	66	13	4	12 „
Brien Duffy	4	5	0	8	0	0	88	4	8	10 „
James Leech	4	0	0	6	10	0	62	10	0	4 „
Philip Breeson	11	0	0	14	0	0	27	5	5	10 „
William Canning	6	0	0	8	0	0	33	6	8	8 „
William Connor	4	10	0	8	0	0	77	15	6	6 „
John M'Gowan	4	0	0	6	0	0	50	0	0	2 „
Patrick Leech	2	0	0	10	0	0	400	0	0	*18 „
Joseph Thompson	19	5	0	34	0	0	76	12	6	

* Every foot of ground reclaimed by himself, and buildings erected at his cost.

TIRMACOY.

Occupiers' Names.	Present Rent.			Proposed Rent.			Increase per Cent.			Land Reclaimed.
	£	s.	d.	£	s.	d.	£	s.	d.	
John Patchell	21	0	0	27	0	0	28	11	5	3 acres.
James Stewart	16	10	0	22	0	0	33	6	8	
James Reid	15	0	0	21	0	0	40	0	0	
Robert Morrow	20	0	0	31	0	0	55	0	0	

LOUGHERMORE.

Occupiers' Names.	Present Rent.			Proposed Rent.			Increase per Cent.			Land Reclaimed.
	£	s.	d.	£	s.	d.	£	s.	d.	
Patrick Kane	9	10	0	22	0	0	131	11	6	All reclaimed except 1½ acre.
George O'Kane	15	0	0	32	0	0	113	6	8	24 acres.
William Lyons	12	0	0	23	10	0	95	16	8	27 acres all reclaimed.
William Swan	8	10	0	16	10	0	94	2	4	27 acres.
John Duffy	2	14	0	5	0	0	85	3	8	6 „

GORTILEA.

Occupiers' Names.	Present Rent.			Proposed Rent.			Increase per Cent.			Land Reclaimed.
	£	s.	d.	£	s.	d	£	s.	d.	
Michael M'Donagh	8	14	0	12	0	0	37	18	7	
Arthur Duffy	3	5	0	5	0	0	53	16	11	
Hugh M'Cartney	8	15	0	11	0	0	25	14	3	
John Whiteside	8	12	0	16	0	0	86	0	11	All reclaimed.
Patrick Brolly	16	10	0	21	0	0	27	5	5	
William M'Keever	2	0	0	6	5	0	212	10	0	All reclaimed.
Catherine Brolly	11	0	0	13	0	0	18	3	7	
Manus Carlin	4	0	0	6	0	0	50	0	0	
Patrick M'Donagh	9	10	0	12	0	0	26	6	3	
Felix Tracy	10	0	0	14	0	0	40	0	0	
James Marshal	22	0	0	27	0	0	22	14	6	
Mary M'Keever	6	0	0	8	0	0	33	6	8	
Adam Nelson	13	10	0	27	0	0	100	0	0	

TIRGLASSAN.

Occupiers' Names.	Present Rent.			Proposed Rent.			Increase per Cent.			Land Reclaimed.
	£	s.	d.	£	s.	d.	£	s.	d.	
James Miller	22	10	0	32	0	0	42	4	5	
Thomas Miller	8	10	0	14	0	0	64	14	1	
John Blair	19	10	0	28	0	0	43	11	9	
Thomas Blair	11	5	0	15	0	0	33	6	7	
Mrs. Donnelly	2	5	0	4	0	0	77	15	6	
Thomas M'Kinlay	7	8	0	10	0	0	35	2	8	
James Cochrane	14	0	0	18	10	0	32	2	10	
Joseph Cochrane	14	17	0	17	0	0	14	9	5	
John Eakin	22	0	0	30	0	0	36	7	3	
John Eakin, jun.	14	0	0	18	0	0	28	11	5	
Thomas M'Comb	11	0	0	16	0	0	45	9	1	

Deputation from Companies' Irish Estate.

12 July 1882.

BALLYHANEDIN.

Occupiers' Names.	Present Rent.			Proposed Rent.			Increase per Cent.			Land Reclaimed.
	£	s.	d.	£	s.	d.	£	s.	d.	
James Brazil	21	10	0	31	10	0	46	10	2	
William Brazil	19	0	0	25	0	0	31	11	6	
Thomas Connor	8	0	0	11	0	0	37	10	0	
Mrs. Monteith	12	10	0	16	0	0	28	0	0	
Andrew Williams	6	0	0	9	0	0	50	0	0	
John Lyons	19	10	0	25	0	0	28	4	1	
David Sherrard	38	10	0	51	0	0	32	9	4	
John Connor	14	10	0	20	0	0	37	18	7	
Michael M‘Loughlin	14	10	0	18	0	0	24	2	9	
George Rosborough	14	0	0	20	0	0	42	17	1	
James Rosborough	15	0	0	21	10	0	43	6	8	
James Rosborough	23	0	0	26	10	0	15	4	4	
John Rosborough	15	15	0	23	15	0	50	15	10	
William Rosborough	16	0	0	19	10	0	21	17	6	
William Rosborough, sen.	16	0	0	21	10	0	34	7	6	

GLASVEY.

Occupiers' Names.	Present Rent.			Proposed Rent.			Increase per Cent.			Land Reclaimed
	£	s.	d.	£	s.	d.	£	s.	d.	
David Nutt	28	15	0	36	0	0	25	4	4	
Ellen Reid	6	0	0	10	0	0	66	13	4	
Mrs. Kerr	8	10	0	12	0	0	41	3	6	

BALLYHOLLY.

Occupiers' Names.	Present Rent.			Proposed Rent.			Increase per Cent.			Land Reclaimed.
	£	s.	d.	£	s.	d.	£	s.	d.	
Joseph Craig	24	0	0	30	0	0	25	0	0	
Daniel M‘Feeley	13	10	0	20	0	0	48	2	11	
William M‘Donagh	10	10	0	16	10	0	57	2	10	
Felix Harman	6	0	0	9	0	0	50	0	0	
Edward Devine	13	4	0	16	10	0	25	0	0	
John M‘Closkey	12	0	0	17	10	0	45	16	8	
Charles Mullna	9	15	0	15	0	0	53	16	11	
Edward M‘Closkey	8	15	0	13	0	0	48	11	5	

KILLYLANE.

Occupiers' Names.	Present Rent.			Proposed Rent.			Increase per Cent.			Land Reclaimed.
	£	s.	d.	£	s.	d.	£	s.	d.	
William Coyle	12	5	0	20	10	0	67	6	11	
Daniel Donaghy	8	10	0	12	10	0	47	1	2	
John M‘Loughlin William M‘Ginnis	8	0	0	12	0	0	50	0	0	
Robert M‘Ginnis John M‘Ginnis	7	5	0	20	0	0	175	17	2	
John Burns	9	0	0	16	0	0	77	15	6	
Thomas Burns	9	0	0	20	0	0	122	4	5	
George Burns	7	10	0	15	0	0	100	0	0	
James Burns	7	10	0	12	0	0	60	0	0	
Alexander Gilfilland	36	0	0	42	0	0	16	13	4	
William Michaels	7	0	0	12	0	0	71	8	7	
Alexander Burnes	6	0	0	8	0	0	33	6	8	
Edward Coyle	15	0	0	20	0	0	33	6	8	
George Cochrane	24	0	0	32	0	0	33	6	8	
George Cochrane	27	0	0	38	0	0	46	14	9	
Matthew Sloan	17	0	0	25	0	0	47	1	2	
James Caldwell	22	0	0	27	0	0	22	14	6	

MAGHERAMORE.

Occupiers' Names.	Present Rent.			Proposed Rent.			Increase per Cent.			Land Reclaimed.
	£	s.	d.	£	s.	d.	£	s.	d.	
Adam Caldwell	31	0	0	35	0	0	12	18	0	
James Stirling	17	13	0	23	10	0	33	2	10	

BALLYKELLY.

Occupiers' Names.	Present Rent.			Proposed Rent.			Increase per Cent.			Land Reclaimed.
	£	s.	d.	£	s.	d.	£	s.	d.	
Samuel Limerick	47	10	0	61	0	0	28	8	5	
Andrew Dunn	84	0	0	105	0	0	25	0	0	
Lenox Atkinson	50	0	0	64	0	0	28	0	0	
Mrs. Smyth	11	0	0	16	10	0	50	0	0	

BALLYKEEN.

Occupiers' Names.	Present Rent.			Proposed Rent.			Increase per Cent.			Land Reclaimed.
	£	s.	d.	£	s.	d.	£	s.	d.	
James Cherry	109	0	0	140	0	0	28	8	9	
Sarah Kincaid	22	17	0	30	17	0	35	0	2	

BALLYMACLENAGHAN.

Occupiers' Names.	Present Rent.			Proposed Rent.			Increase per Cent.			Land Reclaimed.
	£	s.	d.	£	s.	d.	£	s.	d.	
James Christy	11	5	0	15	0	0	33	6	8	
Stewart Christy	11	5	0	15	0	0	33	6	8	
James Thoms	12	10	0	20	0	0	60	0	0	
Thomas Craig	5	0	0	12	0	0	140	0	0	
Samuel Marshall	10	0	0	12	0	0	20	0	0	
Andrew Hamilton	4	7	6	5	0	0	14	5	8	
John Marshall	17	15	0	25	15	0	45	1	4	
Joseph Irwin	38	12	0	46	0	0	19	3	5	

DUNGORKIN.

Occupiers' Names.	Present Rent.			Proposed Rent.			Increase per Cent.			Land Reclaimed
	£	s.	d.	£	s.	d.	£	s.	d.	
Andrew Leslie	26	0	0	35	0	0	34	12	3	
Andrew Gibson	30	0	0	36	0	0	20	0	0	

KINCULL-BLACK.

Occupiers' Names.	Present Rent.			Proposed Rent.			Increase per Cent.			Land Reclaimed.
	£	s.	d.	£	s.	d.	£	s.	d.	
Robert Sherrard	21	0	0	28	0	0	33	6	8	
Stewart Hamilton	20	10	0	27	0	0	31	14	1	
David Hamilton	6	5	0	8	10	0	36	0	0	
William Hamilton	5	10	0	7	0	0	27	5	5	
Miss Smith	20	10	0	30	0	0	46	6	9	
John Hamilton	10	0	0	13	0	0	30	0	0	
Thomas Mullin	37	10	0	44	0	0	17	6	8	
William Fleming	30	10	0	38	0	0	24	11	9	
John Long	25	0	0	30	0	0	20	0	0	

COOLNACOLPAGH.

Occupiers' Names.	Present Rent.			Proposed Rent.			Increase per Cent.			Land Reclaimed.
	£	s.	d.	£	s.	d.	£	s.	d.	
Samuel Baird	24	0	0	30	0	0	25	0	0	
Michael Brolly	5	0	0	7	0	0	40	0	0	
William M‘Donagh	9	0	0	12	10	0	38	17	9	
Philip Donaghy	7	10	0	12	10	0	66	13	4	
Robert Eakin	43	0	0	56	0	0	30	4	7	

LETTERLOUGHER.

Occupiers' Names.	Present Rent.			Proposed Rent.			Increase per Cent.			Land Reclaimed.
	£	s.	d.	£	s.	d.	£	s.	d.	
James Irwin	13	10	0	17	10	0	29	12	7	
John Irwin	26	6	0	31	0	0	17	17	4	
Marshal Eakin	38	5	0	46	0	0	20	5	2	
William Whiteside	8	0	0	10	10	0	31	5	0	
James Ellis	8	10	0	12	0	0	41	3	6	

BLACK-KINCULL.

Occupiers' Names.	Present Rent.			Proposed Rent.			Increase per Cent.			Land Reclaimed.
	£	s.	d.	£	s.	d.	£	s.	d.	
Mrs. Witherow	25	0	0	34	0	0	36	0	0	
David Jamieson	7	10	0	10	10	0	40	0	0	
James Brizzle	14	6	0	20	0	0	39	17	3	
William James Miller	14	0	0	20	0	0	42	17	1	
William John Miller	15	0	0	20	0	0	33	6	8	
William Brizzle	26	0	0	32	0	0	23	1	6	
Robert Monteith	11	10	0	14	10	0	26	1	8	
John Jamieson	11	10	0	14	0	0	21	14	9	

MULDERG.

Occupiers' Names.	Present Rent.			Proposed Rent.			Increase per Cent.			Land Reclaimed.
	£	s.	d.	£	s.	d.	£	s.	d.	
James Devine	11	10	0	18	0	0	56	10	5	
Joseph Devine	9	15	0	13	0	0	33	6	7	
John Tracey	5	15	0	8	0	0	39	2	7	
Thomas Brown	11	10	0	14	0	0	21	14	9	
William Mullin	16	0	0	25	0	0	56	5	0	
Mrs. Robinson	22	0	0	29	0	0	31	16	4	

Deputation from Companies' Irish Estate.

12 July 1882.

GRESTEEL BEG AND GRESTEEL MORE.

Occupiers' Names.	Present Rent.			Proposed Rent.			Increase per Cent.			Land Reclaimed.
	£	s.	d.	£	s.	d.	£	s.	d.	
William Gillespie - -	95	0	0	125	0	0	31	11	7	
William James Guthrie -	62	0	0	70	0	0	12	18	0	
William Guthrie - -	89	10	0	107	0	0	19	11	0	
John Murray - - -	25	10	0	32	0	0	25	9	9	
Exekiel Caldwell - -	20	12	0	27	0	0	31	1	6	
Samuel Parkhill - -	22	0	0	28	0	0	27	5	5	
James Parkhill - -	6	10	0	8	0	0	23	1	6	
William J. Ross - -	10	10	0	15	0	0	42	17	1	
Samuel Ross - - -	9	0	0	13	0	0	44	8	10	
Mrs. M'Lelland - -	23	8	0	28	0	0	19	13	1	
Jacob Morrison - -	23	0	0	30	0	0	30	8	8	

GLASAKEERAN.

Occupiers' Names.	Present Rent.			Proposed Rent.			Increase per Cent.			Land Reclaimed.
	£	s.	d.	£	s.	d.	£	s.	d.	
—	30	0	0	52	0	0	73	6	8	

DUNGULLION.

Occupiers' Names.	Present Rent.			Proposed Rent.			Increase per Cent.			Land Reclaimed.
	£	s.	d.	£	s.	d.	£	s.	d.	
Alexander Parkhill -	19	4	0	24	0	0	25	0	0	
John Parkhill - - -	19	0	0	28	0	0	47	7	4	
Robert Ogilby - - -	4	0	0	8	0	0	100	0	0	
Robert Burns - - -	13	10	0	17	0	0	25	18	6	
William Ferguson - -	10	5	0	15	0	0	46	6	9	
William Maginnis - -	10	5	0	17	10	0	70	14	7	
Michael Rogers - -	11	0	0	17	0	0	54	10	10	
John Kelly - - -	9	0	0	10	10	0	16	13	4	
James Ross - - -	14	11	0	18	0	0	23	14	2	

GORTGAR.

Occupiers' Names.	Present Rent.			Proposed Rent.			Increase per Cent.			Land Reclaimed.
	£	s.	d.	£	s.	d.	£	s.	d.	
Robert Barber - -	42	0	0	50	0	0	19	0	11	
Thomas Smyth - -	8	0	0	13	0	0	62	10	0	
James Bigger - - -	3	0	0	5	0	0	66	13	4	
John Walker - - -	3	0	0	5	0	0	66	13	4	
Robert Hamilton - -	11	13	0	20	0	0	71	13	5	
Samuel Parkhill - -	11	5	0	17	0	0	51	2	2	

KILLYCORR.

Occupiers' Names.	Present Rent.			Proposed Rent.			Increase per Cent.			Land Reclaimed.
	£	s.	d.	£	s.	d.	£	s.	d.	
James Long - - -	25	0	0	30	0	0	20	0	0	
William Miller - -	32	0	0	40	0	0	25	0	0	
William M'Loughlin -	9	10	0	12	0	0	26	6	3	
John Scott - - -	31	0	0	40	0	0	29	0	7	
James Thom - - -	26	10	0	35	0	0	32	1	6	
John Miller - - -	32	0	0	40	0	0	25	0	0	
John Carton - - -	12	0	0	16	0	0	33	6	8	
John Hargan - - -	13	16	0	20	0	0	44	18	6	
William Crooks - -	18	0	0	24	10	0	36	2	2	
John Mitchell - -	18	0	0	24	0	0	33	6	8	

BALLYSPALLEN.

Occupiers' Names.	Present Rent.			Proposed Rent.			Increase per Cent.			Land Reclaimed.
	£	s.	d.	£	s.	d.	£	s.	d.	
Mrs. Dunn - - -	200	0	0	250	0	0	25	0	0	
Mrs. Turnbull - -	9	0	0	14	0	0	55	11	1	
Benjamin Irwin - -	68	0	0	84	0	0	23	10	7	
William Patchell - -	67	0	0	82	0	0	22	7	9	

BARNAKILLY.

Occupiers' Names.	Present Rent.			Proposed Rent.			Increase per Cent.			Land Reclaimed.
	£	s.	d.	£	s.	d.	£	s.	d.	
William Reed - - -	35	0	0	40	0	0	14	5	8	
William Farren - -	4	10	0	6	0	0	33	6	8	

TULLYMAIN.

Occupiers' Names.	Present Rent.			Proposed Rent.			Increase per Cent.			Land Reclaimed.
	£	s.	d.	£	s.	d.	£	s.	d.	
Andrew Robinson - -	18	0	0	21	0	0	16	13	4	

BROHARRIS.

Occupiers' Names.	Present Rent.			Proposed Rent.			Increase per Cent.			Land Reclaimed.
	£	s.	d.	£	s.	d.	£	s.	d.	
Robert Warke - -	15	0	0	16	0	0	6	13	4	
James Douglas - -	13	0	0	16	0	0	23	1	6	
Sarah Atkinson - -	34	0	0	42	0	0	23	10	7	

RASCAHAN.

Occupiers' Names.	Present Rent.			Proposed Rent.			Increase per Cent.			Land Reclaimed.
	£	s.	d.	£	s.	d.	£	s.	d.	
William Brown - -	19	0	0	25	0	0	31	11	6	—
James Shannon - -	31	10	0	50	0	0	58	14	7	

TULLYHOE.

Occupiers' Names.	Present Rent.			Proposed Rent.			Increase per Cent.			Land Reclaimed.
	£	s.	d.	£	s.	d.	£	s.	d.	
Matthew Watt - -	15	0	0	18	0	0	20	0	0	
Daniel Ferris - - -	8	0	0	10	0	0	25	0	0	
Mr. Newell - - -	5	15	0	9	0	0	38	9	2	

LISNAKILLY.

Occupier's Name.	Present Rent.			Proposed Rent.			Increase per Cent.			Land Reclaimed.
	£	s.	d.	£	s.	d.	£	s.	d.	
Thomas Cather - -	106	0	0	140	0	0	32	1	6	

FARLOE.

Occupiers' Names.	Present Rent.			Proposed Rent.			Increase per Cent.			Land Reclaimed.
	£	s.	d.	£	s.	d.	£	s.	d.	
George Wilson - -	26	0	0	36	0	0	38	9	2	
Miss George - -	53	0	0	68	0	0	28	6	0	
William Given - -	125	0	0	154	0	0	23	4	0	
Mrs. Henry - - -	33	0	0	40	0	0	21	4	2	
Thomas Moody - -	35	0	0	46	0	0	31	8	6	

BROGLASCO.

Occupiers' Names.	Present Rent.			Proposed Rent.			Increase per Cent.			Land Reclaimed.
	£	s.	d.	£	s.	d.	£	s.	d.	
George Kane - - -	70	0	0	84	0	0	20	0	0	
John Robinson - -	33	0	0	44	0	0	33	6	8	
Samuel Hill - - -	86	16	0	100	0	0	15	4	1	
Hugh Lane - - -	261	0	0	310	0	0	18	15	5	

BROIGHTER.

Occupiers' Names.	Present Rent.			Proposed Rent.			Increase per Cent.			Land Reclaimed.
	£	s.	d.	£	s.	d.	£	s.	d.	
Joseph Cherry - - -	55	0	0	68	0	0	23	12	8	
Arthur Gibson - - -	172	0	0	200	0	0	16	5	6	

B.

STATEMENT of RENTALS and GOVERNMENT VALUATION of the PRINCIPAL ESTATES in the County of LONDONDERRY.

—	Rental.			Government Valuation.			Per-centage over or under Government Valuation.
	£	s.	d.	£	s.	d.	
Grocers' Estate Agricultural Holdings - - -	5,750	0	0	5,922	0	0	2*l.* 19*s.* 9*d.* per cent. under Government valuation.
Salters' Estate „ „ - - -	12,003	0	0	13,271	0	0	10*l.* 11*s.* 4*d.* „
Clothworkers' Estate „ „ - - -	3,794	14	0	4,247	0	0	11*l.* 18*s.* 9*d.* „
Ironmongers' Estate „ „ - - -	6,976	16	4	7,815	12	0	12*l.* 0*s.* 6*d.* „ „
Mercers' Co.'s Estate „ „ - - -	10,235	3	6	11,960	18	0	16*l* 17*s.* 1*d.* „ „
Waterford Estate „ „ - - -	13,429	9	7	15,467	9	6	15*l.* 3*s.* 6*d.* „ „
Skinners' Co.'s Estate in Kennaught and Tirkeeran-	5,470	2	2	6,180	16	0	12*l.* 19*s.* 7*d.* „ „
Fishmongers' Estate Agricultural Holdings - -	7,637	0	0	7,357	10	0	3*l.* 18*s.* 9*d.* per cent. above „

C.

EXTRACT from the opinion of HUGH HOLMES, Esq., Barrister-at-Law.

"I therefore would strongly advise the tenants not to accept leases on the terms proposed. Such leases would certainly be dangerous to, and possibly destructive of their tenant right."

D.

EXTRACT from the speech of the Right Honourable CHICHESTER FORTESQUE on the Land Bill.

"There is no more dangerous and gross—I was going to say no more insidious—violation of the custom, than to raise rent to such a point as seriously to impair the value of the tenant right. That is a breach of faith which I am happy to believe, when this Bill passes, can seldom occur again, because the landlord will have to find a tenant to pay, or pay himself, a tenant right value, calculated at the former rent, or at such a rent as would not violate the custom."

E.

EXTRACT from the "TIMES" Newspaper.

"If there be an institution which is exceptionally Irish, and which has its root in social conditions which do not exist in Great Britain, it is the tenant right of Ulster. It expresses a history, or rather a tradition, in the tenure of land which differs entirely from those which have grown up in England during the last two centuries. The prevailing principle of Irish tenancy is that everything should be done by the tenant; of English tenancies it is that everything should be done by the landlord. Sometimes an Irish tenancy may, under exceptional circumstances, approximate to English usage, and sometimes in England the letting of land may partake of an Irish character. But, speaking generally and almost universally, the English landlord is a man who places his farm in perfect order, invests large sums in buildings and improvements, and then lets the whole to a tenant of more or less capital, who, on entering it, finds it in full working order, and sets about his business with the reasonable expectation of a fair return for his capital. In Ireland, on the contrary, there has been hitherto a uniform and ancient tradition of a very different practice. What the chief delivered to his dependent was merely so much of the earth's surface, so far as he was concerned, in a state of nature. The habits of nations have a singular vitality, and the usages of the reign of Elizabeth influence the social relations of the reign of Victoria. Up to the present time all that is done to the land in Ireland is the work of the tenant. If we consider how much is put into the land by the labour of successive generations, and how small a part of the selling value of the soil and its appurtenances is represented by the primitive clods of the wilderness, we can understand what a share in the creation of the existing Ireland belongs to the occupiers as a class. Tenant right and the customs sanctioned by the Land Act of 1870, which now rule Ireland, have grown not unnaturally, from the historical development of Ireland, and are more or less suited to its present usages.

(E.)

STATUTORY DECLARATIONS to show advance of rents from time to time on estate of Fishmongers' Company in co. Londonderry, manor of Walworth, between 1825–1882.

PETTY SESSIONS (IRELAND) ACT, 1851, 14 & 15 Vict., cap. 93. (Form Ad.) Solemn Declaration.

I, Michael Creswell, of Nedd Ballykelly, do solemnly and sincerely declare, that the holding which I now occupy was held by my father from the Beresfords (they being the lessees of the Fishmongers' Company at that time) at the annual rent of 9*l.* or 9*l.* 10*s.* When the lease dropped the company immediately raised the rent to 36*l.* per annum.

Two or three years afterwards the company employed a surveyor and valuator to straighten the mereings and do away with rundales, by this we lost five Irish acres and had our rent fixed at 33*l.* 10*s.* per annum.

A large portion of the farm was bog and waste, and at the taking of our present lease (1872) we had effected very considerable improvements, having reclaimed all the bog land and erected substantial buildings. Our present rent was then fixed at 40*l.* 5*s.*, and which we still continue to pay. I may also say that the reclamation of 20 acres was effected altogether by our own expenditure. The farm was held by lease for three lives, and 71 years from the Beresfords, renewable. The Fishmongers caused this old lease to be given up when they came into possession of the estate at the King's death.

And I make this solemn declaration conscientiously believing the same to be true, and by virtue of the Provisions of an Act passed in the sixth year of the reign of his late Majesty King William the Fourth, chapter sixty-two, for the Abolition of unnecessary Oaths.

his
(Signed) MICHAEL × CRESWELL.
mark.

Made and subscribed before me this seventh day of July in the year eighteen hundred and eighty-two.
(Signed) THEOBALD M. BRYSON, J.P.
Justice of said county Londonderry.
(Stamp.)

PETTY SESSIONS (IRELAND) ACT, 1851, 14 & 15 Vict., cap. 93. (Form Ad.) Solemn Declaration.

I, John Kinkead, of Broharris, do solemnly and sincerely declare, that I remember my father holding about 18 acres in Ballykelly, 10 of which were under lease from the Beresfords, "middlemen holding under "the Company of Fishmongers." In 1820 the Fishmongers came into possession of the estate and compelled my father to relinquish his lease. The boundaries of the farms were then straightened, and, as a consequence, my father lost his holding, but got instead a few years after a farm in Ballyking townland, which was previously held by a man named Wright, who had to leave not being able to pay the rent.

I succeeded to my present holding through my uncle not being able to pay the rackrent imposed by the Company after they came into possession. The rent was raised from 10*s.* to 2*l.* 2*s.* per plantation acre. I never could have paid this rent from the resources of the farm, but did so from moneys earned at road making and boating shells for sale as manure. I reclaimed three acres of bog land on this farm without any aid from the Company. I believe all the land in this part

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was raised in the same rate as this farm. Of a number of tenants I remember Jack Creswell, Hamilton, Irwin, Andrew Grey, and Robert Cowan having to quit their farms owing to excessive rents, they being industrious men. Distraints for rent were very frequent.

And I make this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of an Act passed in the sixth year of the reign of his late Majesty King William the Fourth, chapter sixty-two, for the Abolition of unnecessary Oaths.

(Signed) JOHN KINKEAD.

Made and subscribed before me this eighth day of July in the year eighteen hundred and eighty.

(Signed) THEOBALD M. BRYSON, J.P.,
Justice of said county of Londonderry.

Stamp.)

PETTY SESSIONS (IRELAND) ACT, 1851, 14 & 15 Vict., cap. 93. (Form Ad.) Solemn Declaration.

I, Henry Hyndman, Carnamuff, aged 82 years, do solemnly and sincerely declare, that I remember my grandmother holding under lease this farm, which then consisted of 18 or 20 plantation acres and also the right of grazing on the mountain portion of the town as far as Loughermore at the rent of 3*l*., "Irish currency." At the expiration of the lease the rent was raised to 3*l*. 3*l*. My father came into possession at my grandmother's death, and held under lease for lives and years renewable at 5*l*. 5*l*. per annum till the death of King George in 1820, when the Fishmongers then coming into possession of the estate compelled him to relinquish the lease, and raised his rent to 23*l*., and took the right of grazing from him on the mountain. In or about 1826 he straightened the boundaries of the farms; he then got an addition to his farm (making it in all about 25 acres plantation), at the rent of 30*l*. I succeeded my father about 30 years ago, and in 1872 my rent was raised to 34*l*.

Besides several others I remember James Macafee and Sam Selfridge living in the next townland and holding about 16 acres each, being compelled to give up their farms when reduced to poverty by rackrents.

And I make this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of an Act passed in the sixth year of the reign of his late Majesty King William the Fourth, chapter sixty-two, for the Abolition of unnecessary Oaths.

(Signed) HENRY HYNDMAN.

Made and subscribed before me this seventh day of July in the year eighteen hundred and eighty-two.

(Signed) THEOBALD M. BRYSON, J.P.,
Justice of said county of Londonderry.

(Stamp.)

PETTY SESSIONS (IRELAND) ACT, 1851, 14 & 15 Vict., cap. 93. (Form Ad.) Solemn Declaration.

I, James Connor, of Sistrokeel, aged 86 years, do solemnly and sincerely declare, that my father, Arthur Connor, my uncle, Isaac Connor, and cousin, John Connor, held under the Beresfords (they being the Fishmongers' lessees) a large portion of land adjoining Sistrokeel Mountain at the yearly rent of 6*l*. 6*s*., and one duty day for each tenant annually. They also occupied the right of grazing on the mountain. Immediately after expiration of the lease we were deprived of the mountain, and our rents were raised to 37*l*. At the taking out of our present lease in 1872 we were still further raised to 60*l*., our present rents. We also lost a portion of our holdings for planting without any remuneration. I was enabled by means of a shop and by dealing in cattle and such like to improve and hold my farm. The reclamation on these farms which was almost the entire area was effected by the expenditure of the tenants with the exception of a slight advance of cash given by the company to assist in drainage.

And I make this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of an Act passed in the sixth year of the reign of his late Majesty King William the Fourth, chapter sixty-two, for the Abolition of unnecessary Oaths.

his
(Signed) JAMES × CONNOR.
mark

Made and subscribed before me this seventh day of July in the year eighteen hundred and eighty-two.

(Signed) THEOBALD M. BRYSON, J.P.,
Justice of said county of Londonderry.

(Stamp.)

We the undersigned tenants, residing on the townland of Tyrglasson, upon the Fishmongers' Estate, hereby declare that we, the joint tenants in the year 1818 or 1819, paid the sum of 4*l*. 11*s*. Irish currency for the holding or acreage, we then held in occupancy, for which holding we now pay the sum of 28*l*.

JOSEPH EAKEN.
JOHN EAKEN.

Declared before me this seventh day of July 1882, at Straid-arran, and I know the deponents.

JOHN C. F. HUNTER, J.P.,
Co. Londonderry.

F.)

DRAFT MEMORIALS to the PRIME MINISTER.

To the Right Hon. W. E. Gladstone.

The memorial of the tenants of the Drapers' Company

Humbly sheweth,—

That we believe the Drapers' Company get their lands at a mere nominal rent, the intention of the Crown being that they should set them at proportionally easy rents, give fixed estates, and otherwise encourage the plantation tenants.

That instead of thus encouraging them they, like the other London companies, abandoned their estates, and set them to the highest bidder, leaving the tenants to the mercy of private speculators.

That since the company resumed the management of their estate we have not received the advantages that the Crown intended we should have, but have been charged high rents (higher than the tenants under many private landlords), thus making us pay for the use of that property which has been created in our farms by the tenants since the plantation, part of which consists of lands that were then waste, for which we believe the company were not charged anything by the Crown.

That, though we and our predecessors have built, reclaimed, fenced, and drained, yet had it not been for the protection given by the Land Act of 1870 all would have been swallowed up, and we would have been treated as English tenants.

That, since that Act became law, the company are trying to force office rules, which would take from tenants in villages the right of free sale, though, according to the old custom, they could sell their houses with the land attached to the highest bidder, the houses being originally built by the tenant, many of whom are living solely by agriculture; also, in cases where these tenants do not wish to sell, the company are forcing them to sign away their property without remuneration.

That this company have not encouraged industries of any kind, but, like the other London companies, have put a check on private enterprise, as may be seen by comparing the towns on their estates with others on every side, where the natural advantages were not greater.

That, as the estates of these companies were given them, not for their own profit, but to plant with, and afterwards encourage upon them a loyal tenantry, your memorialists cannot see why they should be permitted to crush their tenants with high rents, and to spend the fruits of their industry in a place so wealthy as the city of London.

Memorialists would humbly plead that you would use your great influence, which has always been on the side of the oppressed, and cause the Crown to resume its rights, and have these estates sold to the tenants; and

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would ask you, in doing so, to take into consideration the following facts:—

1. That we are greatly reduced by adverse seasons, unremunerating prices for farm produce, and high rents, and are unable to purchase, as we could have done some years since.

2. That this company have been drawing so largely out of the estate, over what they have a right to take, that they have now little claim upon it.

3. That the value of land property in Ireland is greatly reduced on account of the present depression in agriculture.

And memorialists, as in duty bound, will ever pray.

To the Right Hon. William E. Gladstone.

The petition of the tenants of the London Companies' Estates in the county of Londonderry, Ireland,

Humbly sheweth,—

That the said companies were granted their estates in the county of Londonderry for certain purposes, the principal of which was the improvement of this part of Ireland, and it was stipulated, amongst many other things, in the Plantation Articles, with which they were to comply, that they should plant tenants on their respective proportions, and that these tenants should hold by a certain tenure and a fixed rent.

That the said companies entirely disregarded these conditions, having, almost as soon as the charter was made to them, transferred the possession of their estates, on terminable leases, to middlemen; and, on the termination of these leases, fresh ones were from time to time granted in consideration of large fines and annual head rents; the common practice being, when a lease of one of the companies estates was near its expiry, to publicly auction a new one to such person as offered the largest fine and highest head rent, and thus until lately (the Skinners' estate only reverted to that company eight years ago) a system of middlemen was perpetuated whose only object was to make as much profit as possible during the continuance of their leases; and the consequence was that advantage was taken of every opportunity to add to the rents of the tenants, and, to do this with greater facility, the only tenure granted them was from year to year.

That all reclamation, improvements, and, in fact, everything that has been done to make the land fertile and productive, has been at the expense of the occupying tenants; the said companies nor their middlemen never in any way contributing.

That notwithstanding the previous high rents, and that all improvements were the work of your petitioners or their predecessors, the said companies have recently very largely increased your petitioners' rents, and thereby confiscated a great portion of their interest in their holdings under the Ulster custom. The said companies have also in various other ways deprived your petitioners of the benefit of said custom, by restricting the right of free sale, by taking from your petitioners without compensation their property in towns, which they either created or purchased under it, and by forcing them to enter into contracts which would destroy its effects entirely, and altogether dealing with your petitioners in a harsh and oppressive spirit.

That your petitioners believe that the practice of burthening the tenants of their Irish estates with excessive and unjust rents, which are drained away to be spent on the private purposes of the said companies in London, is a direct violation of the fundamental condition on which their charter was granted, and is a grievous injury to the prosperity of this county.

That the existence of the said companies at the present day is as anomalous as it is uncalled for, inasmuch as they have now no relation to the trades whose names they bear, few (if any) of them having amongst their numbers a single member of the craft they represent, and being composed of elected members, who are not supposed individually to have any pecuniary interest in their funds; and more especially is their position anomalous with respect to their Irish properties, as the objects for which these were entrusted to them have long since become obsolete, or have been disregarded.

That, under the foregoing circumstances, feeling much aggrieved and injured by the system of management pursued by the said companies, which has been characterised by a want of sympathy with their tenants and a carelessness or ignorance of their requirements, your petitioners would earnestly request you to lay such a measure before Parliament in its present session as may enable them to acquire the fee of their holdings on such reasonable terms as will restore them to the position which recent oppressive exactions have deprived them of.

And your petitioners, as in duty bound, will ever pray.

Signed on behalf of the Skinners' tenantry.

(Signed) James Fallows,
Dungiven.

Signed on behalf of the Fishmongers' tenantry.

(Signed) Robert Dunn,
Ballykelly.

Signed on behalf of the Ironmongers' tenantry.

(Signed) George Williamson.
Aghadowey.

Dungiven, 18th March 1881.

To the Right Hon. W. E. Gladstone.

The memorial of the tenants on the estate of the Salters' Company of London,

Humbly sheweth,—

That the undersigned memorialists are each and all tenants upon this estate.

That the history of the settlement of the London companies in county Derry narrates the purposes for which these lands were given in trust, and with which records or trust deeds memoralists are not sufficiently acquainted to make a clear case.

That memoralists believe the beneficent intentions of the Crown were towards the tenants on the estates of the London companies.

That the Crown intended and also stipulated with these companies that they should be the medium to carry out the wishes of the Crown in colonising and raising upon these estates a peaceful and loyal population which would strengthen the Government of England, and by their industry and example stimulate others outside the bounds of these estates to become industrious and peaceful subjects.

That whatever may have been the conduct of these companies in the first instance, some of them sub-leased their estates to parties who worked them for their own profit, thus sinking all benefits to the tenants to which they were entitled under the public trust.

That the Salters' Company of London sub-leased their estate to A. Stewart and Sir T. Bateson for a term of years which expired in 1854, and, on the expiration of said lease, the Salters' Company resumed possession, and inaugurated their return by advancing the rents on several occasions.

That tenant right always existed on the Salters' estate, owing to the fact that the tenant made all the improvements, and not one penny of the landlords' money was ever expended upon these holdings, except in loans which were granted to the tenants and charged for at 6 per cent. per annum.

That Griffith's valuation upon the estate of the Salters' Company, as upon all other lands in Ulster, included, not a valuation of the landlords' property alone, but also the value of the tenant right, so that if Griffith's valuation were accepted as the basis for fixing a fair rent all over Ireland, the tenants of the Salters' Company, as of the other London companies and of all the lands in Ulster, would be mulcted for their industry, in having to pay a rent upon the property which the tenants themselves invested in their holdings, which property in many cases comes up to, and even in some cases exceeds, the landlords' property in the said holdings. The tenants are now paying a rackrent, at and above Griffith's valuation, and during the bad seasons they have not received any abatement of their rents, though a private landlord, who purchased a portion from the Salters' Company, has given a substantial abatement of rent in the last two years.

That the Salters' Company materially advanced their rents during this period of distress, and are still advancing all farms which change tenants.

That the Salters' Company contracted their tenants out of the provisions of the Land Act of 1870 in limiting the tenant right of farms to 10 years' purchase of the Government valuation, and compelling the tenant to pay all the county cess, on change of tenancy, and of taking advantage of a technicality in the Land Act to deprive the occupiers of town holdings of tenant right upon their lands, which lands were all and always bought and sold according to the Ulster custom; and

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the town buildings in many cases are charged at nine fold the rents they stood at in 1854.

That, for these and various reasons, the tenants on the estate of the Salters' Company have been, and are, so impoverished—namely, by the exactions of the landlords—that a distribution of these lands to the occupiers under the provisions of the Bright clauses of the Land Act of 1870 would act injuriously on the tenants, inasmuch as the tenants are now quite unable to make annual payments which would amount to the present rent of their holdings.

That, under sanction of a sound public opinion, and —as memorialists do verily believe—by virtue of the non-fulfilment of the Salters' Company's duties to the Crown and to the tenants on this estate, and of the other estates of the London companies so circumstanced, the Crown should resume possession of these lands, selling them to the tenants, each his holding, under such monetary conditions as would reduce the occupier's annual payment to about two thirds of the present rent, and that the first instalment should be reduced to the lowest possible sum.

That, as the poverty of the memoralists is mainly due to the exactions of the Salters' Company upon them in the past, you, sir, supported by your powerful Government, will endeavour to secure the property at such a reasonable price as will compensate the tenant, who has paid a rent for many years up to and exceeding Griffith's valuation, which, as memoralists have endeavoured to show, is almost double a fair rent, considering the tenants' capital, which is valued along with the landlords' part.

That memorialists believe and know that the people's rights are in safe hands.

And memorialists, as in duty bound, will ever pray.

Dated at Magherafelt this 1st day of January 1881.

(Signed) Horace T. Gausen, Magherafelt.
John Walker, ,,
Robert Stewart, ,,
Charles McKenna, ,,
Alex Johnston, ,,
Thomas Evans, ,,
John Walsh, ,,
John Staar, ,,
John Donaghy, ,,
Thomas Collins, ,,
Richard Gilmore, ,,

THIRTEENTH DAY.

Wednesday, 19th July 1882.

PRESENT :

THE RIGHT HONOURABLE THE EARL OF DERBY, CHAIRMAN.

HIS GRACE THE DUKE OF BEDFORD, K.G.
THE RIGHT HON. VISCOUNT SHERBROOKE.
THE RIGHT HON. SIR RICHARD ASSHETON CROSS, G.C.B., M.P.
SIR SYDNEY H. WATERLOW, M.P.

MR. ALDERMAN COTTON, M.P.
MR. WALTER H. JAMES, M.P.
MR. PELL, M.P.
MR. THOMAS BURT, M.P.

MR. H. D. WARR, *Secretary.*

Deputation from Magee College.

19 July 1882.

The following gentlemen attended as a deputation from Magee College, Londonderry: the Rev. J. M. Rodgers, M.A., John Cooke, Esq., and Professor Dougherty, M.A. The deputation was introduced by the following gentlemen: Sir Thomas McClure, M.P., Mr. Lea, M.P., Dr. Kinnear, M.P., Mr. T. A. Dickson, M.P., Mr. James Dickson, M.P., Mr. John Givan, M.P., Mr. William Findlater, M.P., Mr. J. N. Richardson, M.P., Mr. William Shaw, M.P.

2120. (*Chairman, to Sir Thomas McClure.*)—We should be happy to hear what you have to say on behalf of the college whose interests are represented by this deputation.

(*Sir Thomas McClure.*) We attend with a deputation from Londonderry, who desire to submit the claims of Magee College to your consideration in any arrangement for the allocation of the funds arising from the estates of the city livery companies. The constitution and position of the college will be submitted to you by members of the deputation. It is only necessary for me to add that this college is the only place affording higher education in the north-west of Ireland. It is most convenient for persons coming from the counties of Londonderry, Donegal, Tyrone, and the northern part of Antrim, the populations of which counties are of the same class as those who send their sons to the universities in Scotland. I may remark also that it appears to me that at the present time it is of importance to encourage farmers to send their sons to college to obtain a liberal education rather than to attempt to subdivide their farms. These sons might thus become useful members of the community in other professions, at home and abroad. Many of the sons of farmers in Scotland who have obtained education at the universities in that country have not only gained high positions for themselves but have rendered good services to the empire in different parts of the world. The professors in Magee College at the present time are all men of undoubted high character and high standing in their different departments; but several other professorships are urgently required in order fully to equip the college. On a former occasion I called your Lordship's attention to the purposes and objects for which the grants of these estates were made, and surely it would be a fair and proper adaptation of a portion of the funds, and in accordance with the intention of the founders so to apply them as to enable the trustees to provide greater facilities for literary and scientific instruction, and thus to make the college a credit to the citizens of London, and honourable to the county of Londonderry, which bears the name of London. There are three gentlemen here present, who are trustees of the college. One of them is Mr. Dickson, member for the county of Tyrone, another is Mr. Givan, member for Monaghan, and the third is the Rev. James Maxwell Rodgers, of Londonderry. Our friends here have kindly accompanied me in order to show their sympathy in the movement, and amongst others our friend from county Cork has been kind enough to come forward.

(*Chairman.*) We shall be happy to hear anything they have to tell us.

(*Rev. J. M. Rodgers.*) My Lord, it so happens that of the trustees who are present, I am the oldest, that is to say I have been the longest time in that office. In addition to myself Mr. Givan is a trustee, but he was appointed only a month ago. Mr. Dickson, member for the county Tyrone, and Mr. John Cooke were appointed about two years ago. I have been appointed for about seven years. The duty therefore has devolved upon me of speaking in the name of the trustees. I only regret that a person more able has not had that service to render. Our original trustees have unfortunately all died out, and as they were the men who had to bear all the great labour in connexion with originating the college as well as receiving the trust funds, none of us yet know as well as they did all the interests of the concern. I may say that this whole organisation may be traced back to the year 1844. If the Queen's colleges and the Queen's University had been established at that time, the Magee College I think never would have existed at all. In the year 1844 the General Assembly committed themselves to a great undertaking in the interest of higher education. A lady making her will (she was the widow of one of our own ministers) left 20,000*l.* for the purpose; one of our own ministers soon afterwards gave 10,000*l.* to increase the capital, and after this capital had lain past for a few years, the annual proceeds being added to the principal, the trustees began to see their way towards opening the institution. The Honourable the Irish Society have acted towards the college with very great consideration and liberality and were the very first of all the companies to do anything for it. It is a pleasure here, and now, to be in a position to bear testimony to those high and valuable services, without which indeed it is very likely that we might not have been here at all. The trustees, under the authority of the Lord Chancellor, had the right to choose the place in which this institution should be placed, and they selected Londonderry when it came to be open to them to build the structure simply because there was in the north-west of Ireland no place for higher education. A very respectable constituency gathers around Londonderry, first of all we have the whole county of Donegal with a population of 260,000, then we have the whole county of Tyrone with a population of 197,000, nearly the half of the county of Antrim with its population of 421,000, all the county of Derry with its population of 164,000, and the City, with, as nearly as possible, 30,000. This institution, placed in the city of Londonderry for the sake of this constituency, has four professorships in literature and science. As I have said already the Honourable the Irish Society have treated the institution with great generosity all along. I may here say that one of their benefactions was the endowment of the professorship of natural philosophy and mathematics, and the professor in that chair is called by the name of the Honourable the Irish Society, that is one of their benefactions.

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Among these four professors one is a fellow of the Royal University of Ireland, two have been appointed by the Senate of the Royal University, examiners in mathematics and in ancient classics, and of the professors three have been selected by the Board of Commissioners for Intermediate Education to conduct the examinations for that board. I mention these facts to show that the men who teach under this trust are men whose attainments are recognised generally, and who are recognised all over the country, in the learned professions, as men who can take their stand beside their associates in similar spheres. These gentlemen conduct their classes entirely in subjection to the scheme approved by the Lord Chancellor and recorded formally in court. We have a copy of that scheme which is available for examination, and one of the special characteristics of it is, that all those classes are to be conducted on such a plan that they are open to students of every religious denomination, nothing occurring in any of the classes at variance with absolute unsectarianism. In regard to our endowments, I have already mentioned the source of some of them. Our income last year was about 2,500*l.*, this includes the income that we receive annually from the Honourable the Irish Society. We have a grant at present of 150*l.* a year, which that society gives for our incidental expenses. To their own professor they have more recently given 50*l.* a year for extra work, and for three years, just beginning, they have given him 50*l.* a year for house-rent (in reference to that matter I may be permitted to speak immediately) but in addition to this 2,500*l.* a year of income, we have within the last year increased our capital by about 7,000*l.* We have received 2,000*l.* from the son of an old County Derry man (who has prospered in Australia), with a view to the establishment of scholarships in the college, and we are collecting, for the building of dwelling-houses for our professors, a fund of which we have already raised the half. The fund will reach 10,000*l.* by the time it is finished. But in connexion with the advantage taken of the institution I need say nothing more than that we have been under the greatest possible disadvantages until quite recently. First of all, no examining body recognized our college course, nor indeed anybody, except the General Assembly of the Presbyterian Church in Ireland. No university recognized our class tickets as entitling students to compete for degrees, and our students, whenever they distinguished themselves very much with us, at once left us and went away to a college that could give them a degree, and where they could have such a connection with a university, as secured to them the rank which learned men like to have as they travel over the world. That some of our students, however, were thus able to acquit themselves is plain, because one of them, only the other day, took the Hebrew Sizarship in Trinity College Dublin, undergoing an examination in which he had to meet with the very weightiest competition; another is professor of astronomy in one of the universities, after having left us and gone to Queen's College and carried off very high honours at Cambridge. Three of our students have left us quite lately to go to Queen's College, Belfast to get a degree, and one has gone to Cambridge where he has carried off very high honours. At the very first matriculation examination for the Royal University, which was held last December, one of our students took the highest place and "first class honours," and another took a place second only to that, and every man we sent in to compete for the matriculation examination passed, with the exception of two. I may further state that the opening of the Royal University has told very considerably in our favour. In the years 1878 and 1879, our students were 33 matriculated and 85 non-matriculated; in the next year 35 matriculated and 37 non-matriculated; in the next year 43 matriculated and 92 non-matriculated; last year there were 47 matriculated and 75 non-matriculated; that being the largest entrance we have ever had, and I may say that this year, we have, already, guarantees from different parts of the country in regard to young men coming to us, so that we shall have a much larger entrance this year than any we have ever had hitherto. The Intermediate Education Act has served us very materially also. According to Thom's Almanack there are some 16 intermediate schools which have existed for several years past in the County Derry, but anyone of us coming from that neighbourhood knows, that 8 or 10 new schools have been established within recent months, some of them doing very valuable work in regard to the intermediate education of young people and the consequence is, that from the farming class a great many people are sending their sons to school, because there is a hope of being able to acquire learning just at the door, and with the college at Derry, or with the possibility of studying without going to any college at all, the Royal University offers them an opportunity of taking degrees which will give them a position among the educated and qualify them for the Civil Service. If I am not trespassing too much upon your time I should like to say, that in connexion with the requirements of the Royal University our staff is quite incapable of doing the amount of work that is necessary. The Royal University with a view to its degrees and honours, requires a good deal in the way of modern languages, we have no stated teacher of modern languages; our faculty appoint a tutor from year to year, but we have not a stated tutor; secondly, we have no teacher of natural science. I do not speak now of natural philosophy or chemistry, but of mineralogy in its various departments,—botany, and matters of that kind,—and these departments are made very much of in the course of the Royal University. We can put in a copy of the statutes, and Acts of Parliament, which will evidence what the university requires. I might venture to say that in connexion with our present position and with the various disadvantages under which we labour, the work we have done has been very much recognised. I shall call your Lordship's attention to only one matter, namely, that the Gilchrist trustees (Dr. William B. Carpenter, as everyone who knows anything in science knows, is the secretary) have twice contributed to the purchase of instruments and apparatus for this college, with a view to recognise the high idea they have of the valuable service which has been rendered by the Honourable the Irish Society's professor of mathematics and natural philosophy to the cause of education in science, and a letter from Dr. Carpenter is here, in which he testifies to it, and if your Lordship will allow me, I shall lay this letter before you. I may mention that Dr. Fullerton, the gentleman in Sydney who has so succeeded, and to whom I have already referred, has out of consideration to our work given 2,000*l.* It has not been put into his will, but it has been handed over in solid money now, and within a month it is likely to be available in the hands of the trustees. 1,000*l.* of it is by Dr. Fullerton's requirement to be devoted to a scholarship for a young man who is studying for the medical profession. He insists that that young man who gets his scholarship shall take a degree in arts before entering the medical classes, because he says that the value of a complete education in arts to a medical man can scarcely be over-estimated, and it has been already suggested that with the opportunities we have through a very large hospital, a very large workhouse and an immense lunatic asylum, there would be very great advantages for medical students acquiring that medical knowledge, and it is already on the cards that we shall have a medical school in connexion with the college. It is very satisfactory to us to come here, not making any charge against anybody and not in antagonism to any person, but we have recently seen that high legal authority has indicated that the income of the London guilds is public money.

2121. Who has stated that ?—"High legal authority," I say. We do not commit ourselves to it, for we do not know a single thing about it, but we have heard that this Commission is sitting with a view of seeing what is to be done in the case, and we think

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it is right that our work should be known to you, when other colleges in England are speaking about these funds, and should the Government take the matter in hand, we think that we who live on the very place where the rents are paid, ought not be altogether left out or overlooked, and we determined that it should not be our fault if we were. I thank you very much for having heard me. Mr. Cooke has some observations to make bearing upon one or two points, if your Lordship will kindly hear him.

(*Mr. Cooke.*) My Lord and gentlemen, I rise to supplement the argument of Mr. Rodgers, by saying, that Derry is the centre of the north-west of Ireland, having a population around it entirely or almost entirely composed of farmers and farmers of the middle class; there are no extremely wealthy men amongst them, or perhaps there may be some few, but the great majority in the counties are men to whom money is an object; they are men who can afford to pay their way, to pay their rents when they are due, to make the best of the opportunities they have, but are very chary about parting with a single sixpence unless they know where it is going to. As Sir Thomas McClure said, in the north of Ireland there is no room for the development of the farming industry. If a man has two sons, only one can hope to succeed him; the second must look elsewhere for pushing his way in life. For that object it is a necessity, and it is extremely important, that education should be cheap and easily attainable to this class of people. This has been well recognised by the people in the north-west. The Irish Society in their liberality and in their connexion with the north-west of Ireland, have given large sums repeatedly in recognition of this necessity. The merchants (there are not very many but there are a few) who have made money have given largely out of their means for the same object. Mr. Rodgers has stated that this college is endowed with 20,000*l.*; it has also got several other endowments; the merchants of Derry and other friends are now raising some 7,000*l.* or 10,000*l.* to supplement the same. I might also say that realising the same necessity before the Intermediate Education Act came into existence they subscribed largely, in which again the Irish Society aided them, towards the institution which is called the Academical Institution, which provides high intermediate education, and which has been most successful with the boys who have been sent forward to the intermediate examinations, I may also say that the Fishmongers' Company (which I believe is one of the guilds that is being inquired into) have also in a measure, though in a small measure, recognised the same obligation by giving 200*l.* towards the building fund of the Magee College. The Ironmongers' Company in a measure, though in a small degree, recognise the same obligation, by giving a scholarship of 25*l.* a year for students who are sons of tenants upon their estates.

Now I might say, that the guilds deriving a large amount of revenue from the county of Londonderry, the city of Londonderry being the nearest place where the sons of tenants on their estates can hope to receive high education at reasonable expense, we think it is not unreasonable to ask, if their moneys or their income is being dealt with, that you should recommend that a certain portion of their income should be awarded towards making education (both intermediate and higher) in the city of Londonderry cheap and available to the citizens and to the farmers in the neighbourhood. I may just mention (and these facts I take from Thom's Almanac, which is recognised in Ireland as an authority upon most subjects) that the valuation of the companies' estates in the County Derry is 65,000*l.* annually, this deals with companies owning land at present in County Derry. I may also mention, though it would not be overlooked by you probably if I did not mention it, that six of the companies took away their property by the sale of their land in County Derry. There are 12 companies altogether, and we think that we have a reasonable claim upon the money, or funds, of those 12 companies; not merely on the six that at present hold but upon the 12, and that it is not unreasonable on our part to ask that the landlords of a large portion of the county of Londonderry should recognise their obligations by endeavouring to make education cheap for the people, not only on their own estates but in the surrounding counties. I do not wish to occupy your time, but I have got the particulars of the population and also of the electorate of these three or four counties, showing how large a number of agricultural people there are on those estates. I may say that the total electorate of these three counties is made up of farmers. If it were necessary I could give you the figures, but I think my object is fully attained by telling you that the population is largely, or nearly altogether, composed of farmers; and that it is a great object to them to get education easily within their reach. I might mention also that in the past the people in the north-west of Ireland had no alternative but to allow their sons to go elsewhere, that is, the great bulk of them; a certain portion who were perhaps in a better position would be able to send their sons to Queen's College, or to Edinburgh, and it is well known to every Englishman, that those Irishmen have held their own; and there are very few large towns in England or Scotland, or country districts, in which Irishmen do not occupy good positions in the medical and other professions; The want of education has been the means of driving out of the north of Ireland the best portion of our community, for they had no alternative (not having education within their reach which would enable them to enter into competition with Englishmen and Scotchmen) but to go to England or to America, and the most successful who have gone to America have been from the north of Ireland; and if education were cheap at home I think they would be retained at home, and the country would not be the loser.

(*Mr. Givan, M.P.*) As a trustee of this college I desire to add one word to the statements that have already been made by Mr. Rodgers and Mr. Cooke. They are both of them so thoroughly conversant with this subject that I do not think I have anything to add further than this; that I have been watching the career of this college for a considerable time, indeed since its foundation, and I have had ample opportunities of knowing the influence that it has exercised over education, not only in the neighbourhood of Derry but in the adjoining counties. I may say to your Lordship this, that there is a tradition, I will put it on no higher ground, amongst the people of Derry and the adjoining counties that these estates were originally granted, I suppose primarily for the benefit of the undertakers, but at all events in a secondary degree and in a very large degree indeed for the purpose of benefiting the County Derry and the north of Ireland generally, and I should say that if the whole of these estates should be realized and the funds taken away from the north of Ireland it will certainly produce an amount of irritation that would be disagreeable and inconvenient. I may also say that we have a notion amongst ourselves in Ulster, that whatever remedial legislation may be given to Ireland, unless our people are elevated by education, the remedial legislation will really fail to accomplish what we know the English people desire, namely to bring Ireland upon a level with England.

2122. You say that there would be a strong feeling if these funds were taken away from Ireland?—Yes.

2123. Have they never been expended in Ireland? —Yes, to some extent they have. One of the things that has been causing irritation for a very long series of years is the fact that this money has been taken away from time to time from Ireland and expended in London and I think I speak what is within the knowledge of every person conversant with the feeling in Derry that there has been for a great many years beyond my memory altogether, a very large amount of ill feeling in consequence of these funds being taken away and spent in London as they have been.

2124. Do you mean on the general ground that all

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money derived from Ireland ought to be spent in Ireland, or upon the more particular ground that it is trust money?—On both grounds I should say. Your Lordship is very well aware that there has been a good deal of talk about absenteeism, but the concentration of that feeling has to a large extent been upon the London companies; it has been intensified by their unique position with regard to landlordism, and as I have said before there has been that feeling existing, but if there were a prospect of this money being absolutely and irrecoverably taken away from Ireland and devoted to purposes in England, whether educational or otherwise, there would be a feeling left, at all events in Derry more strongly than in the other counties, which would not be eradicated for a considerable time. I do not say one word by way of recrimination against the London companies, because I think as a rule they have acted as fairly as other good landlords throughout Ireland upon large estates, but we all know this that upon the estates of some of the companies the rents have not been much below the actual full letting value of the lands including the tenants' improvements, and inasmuch as these rents have been taken away for a long series of years from the tenants, I do think it would be but justice that when the capitalised sum which must accrue from the annual income derived from the tenants' improvements as well as the original value of land comes to be realized, that a large portion, a very large portion, I should say, not a large proportion, but a large sum, and a substantial sum, ought to be given for the essential purpose of education in Derry (a purpose essential not only to Derry, but to the adjoining counties mentioned by Mr. Rodgers, the population of which has been given to your Lordship) and for the support of this most excellent and useful institution.

(*Mr. Shaw, M.P.*) I may perhaps be considered an interloper, but I happened to be in Parliament during the late Administration, and took a very great part in helping forward the Royal University Bill, and one of the principal arguments I was able to bring to bear upon the then Government, and one that weighed with my own mind, was this institution. It was situated in a district that I knew myself thoroughly as one of the most intelligent districts perhaps (for a middle class farming population) in the three kingdoms, and there could be no possible centre more thoroughly fitted for educational purposes, or one to which, in fact, if the facilities were afforded, the people would more readily come in to be benefited by such education. Now evidently this institution has done an immense deal with its very limited means. I am not going to raise any question here about the rights of property and how this property of the London companies is to be distributed, probably that would lead to a discussion, but I understand that you, as a Commission, have this question under your consideration. I am quite sure that the gentlemen who sit round this table, and who are on this Commission, will take a wise and a generous view of the question. I cannot myself think of any object which would more commend itself to every one, outside putting money into a man's own pocket, which I suppose these companies will hardly do with, at all events, the whole of it. I suppose that there is a proportion of this money at any rate which you will decide does not naturally go into their pockets, and if there is any such proportion I do not think there could possibly be any distribution of this money that would be more permanently useful than in endowing chairs and giving greater facilities in this college. I myself know the professors, many of them are men of high standing, and they are working against great odds, but now their path has been opened, they are now affiliated, as it were, to this university, and I believe that their career will reflect great credit on themselves and diffuse great benefits in the districts around.

2125. (*Sir S. Waterlow.*) Professor Rodgers told us, I think, that the object of Magee College was to give a collegiate education at a small sum; can you tell us what sum the pupils now pay, and if there is more than one class the different payments to each class.

(*Rev. J. M. Rodgers.*) In the first place I am not one of the professors but one of the trustees, and in addition I may say that this place has been constantly misrepresented before the public as simply an intermediate school with one class, or two or three classes in one hand. It is of quite a different structure and of quite a different order. It is such a college as you find associated with an English university in which a full curriculum in arts is the ordinary course pursued by each student who enters, and in reference to that matter, in the calendar which I now put in as part of the evidence we give there is a statement made of the fees, and any nobleman or gentleman that wishes for particular information will find it here, everything in fact about the college is here. Speaking generally the fee for each class is *2l.* or *2l. 2s.*

2126. How much would a student going through the college have to pay per annum?—About *7l. 7s.* per annum. It depends altogether upon the number of classes that he takes, but that would be about the amount.

(*Professor Dougherty.*) Perhaps you will allow me, as I am conversant with the internal arrangements of the college, to answer the question. During the first year the fees amounted to *9l. 8s. 6d.* per head. Each student who takes the full course pays *9l. 8s. 6d.* for the session of six months. That does not include the fee for modern languages when a class of modern languages exists; the fee for that class is *2l. 2s.* in fact *2l. 2s.* is the usual fee for each class.

2127. It is a fact that the majority of the students in Magee College are preparing for the ministry of the Presbyterian church?—That is an undoubted fact, and for this reason, that up to the present time, that is to say until the foundation of the Royal University, our undergraduate classes and the certificates possessed by students who passed through them were not recognised by any public body save the General Assembly of the Irish Presbyterian church.

2128. May I ask whether the Presbyterian congregations generally in Ireland have contributed towards the support of the college by founding professorships, or by endowments or by annual contributions, and if so, whether a fair proportion of them have so contributed?—You are perhaps not aware that the Presbyterian Church in Ireland has a theological college in Belfast specially designed for the training of Presbyterian ministers, and the liberality of the Presbyterian Church, and the congregations of the Presbyterian Church, has naturally flowed in the direction of that particular institution.

2129. May the Commission infer from that that the Presbyterian congregations, owing to what you have stated, have not generally contributed to any extent in support of Magee College?—I am not aware that they have.

2130. (*To Mr. Givan.*) I think you referred to the large holdings of the London companies in Derry, and consequently to the claims which the college had upon the rents of such holdings, did you not?—Yes.

2131. Are you aware that the Commission have already had representations made to them by tenants of the London companies, and that two or three, speaking for the rest, have declared that if they are to have landlords in Ireland at all they prefer to have the London companies, and that they should not sell their "properties," are you of the same opinion?—I am not of the same opinion, because I am very much in favour of the London companies selling their estates to the tenants, and the creation thereby of a peasant proprietary; but I think you perhaps misapprehended me. What I wish to point out is, that the liberality of the companies now as landlords will cease if they sell, and that there are no funds allocated for the purpose of keeping up even the subscriptions that they have been heretofore giving to local institutions.

2132. I will just put the question in another way. In your opinion have the London companies, as landlords, contributed more largely to such institutions

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as Magee College and to schools and religious purposes than ordinary landlords?—I am not immediately conversant with the matter, but as I understand they have done so. It is my impression that they have. I do not know the figures exactly, but I have always understood that the Irish Society has been liberal and that the companies have been exceedingly useful to educational and local institutions.

2133. Then as landlords, relatively to other landlords, they have been more generous and contributed much more largely, as I understand you?—That is my belief, and that is why I exaggerate almost in my mind the great loss that it would be in case they should sell, and their influence and liberality be entirely removed from the counties.

2134. Then may I take it that you wish to convey to the Commission that if the lands are to continue to be held by landlords, they had better be in the hands of the London companies than in the hands of other landlords?—Certainly. I think they have fulfilled their duties as a rule better than many others of the landlords of Ireland.

2135. I suppose you wish to convey to us that in your opinion it would be desirable to sell the lands if they could be sold to tenants in occupation?—Yes, at a fair price.

(*Mr. Cooke.*) Might I be allowed to supplement one or two remarks in reference to the questions of Sir Sydney Waterlow. Sir Sydney Waterlow has asked as to what the Presbyterian congregations do. Now I for my part did not come here as one of the deputation solely on account of Magee College, but to advocate the claims of education generally; I do not care of what denomination, whether Roman Catholic, Episcopalian, or Presbyterian. If educational claims are going to be considered at all by this Commission, then I think that the trustees of Magee College have a reasonable ground on which to come forward and to advocate the claims of that institution. But Sir Sydney Waterlow has mentioned the word Presbyterian, and said what have the Presbyterian congregations done? We here simply put forward that Derry is the capital of the north-west of Ireland, we do not say that Derry is the capital of the north of Ireland. It would be rather presumptuous for us to say that in presence of the great town of Belfast, which has one college for no other purpose than training young men for the Presbyterian ministry, or rather in theology. That is the object of that college, but around Londonderry, as we have said already, there are three counties, the population of which is agricultural; their means are limited and it is as great a tax as they can possibly bear to support the ministers of their own congregations. They have been taxed perhaps, and they have given to keep the ministers in their own localities as much as any people in the world. They have given large sums and are continually giving large sums in proportion to their means, to support their own ministers. I would like in relation to this point to give a few figures. The Roman Catholic population of the county Donegal is 157,000, the Episcopalian population of Donegal is 27,450, and the Presbyterian population of Donegal is 20,780, the Presbyterian population of Donegal being the least of the three. But on the electorate for the county of Donegal (that is men having a 12*l.* valuation and upwards) there are 5,000 in round numbers, of which the one half (2,500) is to be found in that denomination which is in the minority. Now my argument in this is to prove that the denomination to which Sir Sydney Waterlow has referred is purely and altogether agricultural, and occupying such a position in the counties as render them likely to avail themselves of such education as we think is required, and a grant to us in aid of it would be highly acceptable. In the county of Londonderry the population in round numbers is 173,000, of which the Episcopalians number 32,000, the Presbyterians 58,000, and the Roman Catholics 67,000. The total electorate for the county of Derry is something like 5,600 odd, in round numbers 6,000, out of which number 3,412 are Presbyterians, my argument being that those are the people who are most likely to need assistance in the matter of intermediate and higher education. The same argument applies to the county of Tyrone; and I think that considering the poverty, or rather the want of riches, of this largely agricultural population, it can scarcely be expected that such a population should give large sums out of their pockets towards education.

(*Sir T. McClure.*) I would like to add one word with reference to what Sir Sydney Waterlow has mentioned. I think I may say on behalf of the tenants of Londonderry, that they would be very glad to become the owners of their farms, and to purchase them, but they certainly would prefer that the Companies should not sell to anyone else. They would rather that the companies should remain as their landlords than that they should sell to strangers. Sir Sydney Waterlow has also asked some questions as to the Presbyterians' subscriptions. Sir Sydney's knowledge of the farmers of Londonderry, and altogether of the farming population and the Presbyterian population throughout the north of Ireland, might lead him to consider that they have a great deal to do. The Presbyterian Church supports several missions at home and abroad and their own ministry as well. The small farmers as a class are very highly pressed on those matters.

The deputation withdrew.

MAGEE COLLEGE, LONDONDERRY.

APPENDIX A.

STATEMENT ON BEHALF OF THE COLLEGE.

I. The Magee College, Londonderry, was opened in 1866. Derry has an increasing population and is the capital of a wide district, the north-western counties of Ireland, in which the Magee College is the only place of higher education.

II. In the literary and scientific department of the college there are professorships of Latin and Greek: of Logic, Belles Lettres, and Rhetoric: of Metaphysics and Ethics: and of Mathematics and Natural Philosophy.

The professor of Latin and Greek has been recently elected a fellow of the Royal University. Two of the professors have been examiners at the first matriculation examination of the Royal University, and three of the professors have been appointed examiners by the Intermediate Education Board.

The instruction given in the undergraduate classes is suited to young men who, for any object, desire to obtain a literary and scientific education; while all scholarships and prizes, except where the donor has imposed restrictions, are open to the competition of all students, irrespective of denominational connexion.

III. The funds of the college have been derived from private benefactions and public subscriptions.

The citizens of Derry have subscribed more than 7,000*l.* to the building fund.

The Honourable, the Irish Society of London, in addition to subscribing 1,000*l.* to this fund, has endowed the chair of Mathematics and Natural Philosophy, and contributes, at present, 150*l.* annually to the incidental expenses.

The Worshipful Company of Fishmongers gave 200*l.* to the building fund, and the Worshipful Company of Ironmongers has founded an exhibition of the annual value of 25*l.*

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IV. The Intermediate Education Act and the Act establishing the Royal University have greatly improved the position of the college. The former has increased the number of young men who prepare to enter its classes. The latter has, for the first time, enabled Magee College students, who have pursued the prescribed course of study, to compete for honours and obtain degrees at an Irish university.

V. Of the facilities thus provided, full advantage cannot be taken till the teaching staff of the college is increased. Under the scheme for the management of the college, sanctioned by the Lord Chancellor of Ireland, one professor teaches both Latin and Greek, another, Mathematics and Natural Philosophy. No provision was made in the original scheme for the teaching of chemistry, natural history, or modern languages. At the date of the foundation of the college, the importance of these subjects was not so fully recognised as at the present time, and the funds at the disposal of the trustees were not sufficient to provide an adequate endowment. Natural history has never been taught in the college. The provision for instruction in modern languages has been insufficient and precarious. The professor of Mathematics and Natural Philosophy has delivered occasional courses of lectures in chemistry, which have been largely attended by non-matriculated students. In recognition of the work thus done, the Gilchrist trustees through their secretary, Dr. W. B. Carpenter, have on two occasions made grants for the purchase of scientific apparatus.

VI. The time has now come to make permanent provision for the teaching of these subjects which have a prominent place in the curriculum of the Royal University. As the London guilds own valuable estates in co. Derry, it is respectfully submitted to this Royal Commission that the Magee College has a claim to be considered in the allocation of that portion of the funds of these companies available for educational purposes.

APPENDIX B.

LETTER from SIR EDWARD REID, Mayor of Derry.

Londonderry,
12th July 1882.

MY DEAR PROFESSOR DOUGHERTY,

I REGRET that it is out of my power to go to London at present, owing to important duties connected with my office requiring my presence here.

It would give me pleasure to state before the Guilds Commission that Magee College is to Londonderry and the north-west of Ireland a very valuable institution, and one in the prosperity of which I take a great interest, subscribing and collecting funds for it and encouraging attendance at its classes, especially in its scientific department.

I would also testify, that, in my opinion, the encouragement Magee College has received from the London companies is neither creditable to them nor proportionate to its importance and usefulness. They were invested with authority in county Derry for the good of the north of Ireland, and especially of the plantation. How the object aimed at could be better served than by the advancement of education of the best and highest kind, I am at a loss to discover. And as Presbyterians are loyal, orderly and industrious, and alone in providing, in the north-west, for the highest training and teaching, there seems to be every reason why their efforts to promote education should be fully acknowledged and liberally aided.

We have a feeling that the guilds should have endowed "chairs" for teaching natural science and modern languages at least—subjects that some persons who are preparing for commerce wish to study; and as the sons of many of the agricultural tenants of the companies can, at Magee College, prepare for a professional life, without absenting themselves for a single night from their parents' homes, till their university course is finished, it seems natural that material assistance should be given, in other departments also, to an institution that brings the higher education to the doors of the people, and, in so far, contributes to diminish the number who live by cultivating the land.

I am, &c.
EDWARD REID, Kt.
Mayor of Derry.

THE RIGHT HON. G. J. GOSCHEN, M.P., attended on behalf of the London Society for the Extension of University Teaching.

Rt. Hon. G. J. Goschen, M.P.

2,136. (*Chairman.*) We understand that you have come as representing the University Extension Committee established in London, that is so is it not?—Yes.

2,137. Then perhaps you will kindly state what it is that they wish us to do?—I think that a memorial is in the hands of the members of the Commission, in which we have stated, as briefly as we could, the objects of our society. Perhaps it would be convenient just to run rapidly through the various points. "In 1872 the University of Cambridge having "received many memorials from large towns through-"out England, asking assistance in promoting higher "education, appointed a syndicate to 'organize "'lectures in populous places.' The scheme grew "rapidly and the syndicate has conducted lectures "in more than 60 towns. In some places the lectures "have led to the foundation of permanent educational "institutions." Then we state one or two notable cases where those permanent educational institutions have been founded. "It was thought that in London "also, although much valuable secondary instruction "was already provided, there was still ample room "and need for similar work. The experience of the "Cambridge scheme had shown that outside the "ranks of those who are able to take advantage "of the routine of colleges, there are in all large "centres of population numbers of persons engaged "in the regular occupations of life, who are yet "willing to avail themselves of opportunities for "higher education." I think I may state here that there was some institution in the metropolis that applied to the Cambridge syndicate asking them to help them in London, but on that being done there was a number of gentlemen interested in education who met in London and thought that they could make similar arrangements in London to those that Cambridge had made for the provincial towns. They placed themselves in communication with various other institutions, and the result was the foundation of the Society for the Extension of University Teaching in the metropolis in the year 1875, but we were anxious to place ourselves in communication with the Universities of Oxford, Cambridge, and London, and we secured their sanction and co-operation. "In "1878 a decree was passed, without division, in a "convocation of the University of Oxford, authorising "the appointment of delegates to co-operate with the "society, and a similar grace passed shortly after-"wards, also without division, in the senate of the "University of Cambridge." The London University also joined us, and I can put in the wording of the decrees at Oxford and Cambridge. The Oxford decrees was this, "That the delegates of local ex-"aminations be authorised to appoint representa-"tives out of their own number to co-operate with "the London society for the extension of university "teaching in such manner as to the delegates may "seem advisable." I will put that in. (*The document was handed in, vide Appendix A.*) When

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we had secured the co-operation of the three universities we considered our organisation complete. The Universities of Oxford, Cambridge, and London appointed members of what we call a joint board. "This "board has nominated all the society's lecturers and "appointed the examiners; it has granted certificates "to successful candidates, and it has frequently con- "ferred with the council on the educational work of "the society." I will now state the way in which we work. We work through local committees. The central society endeavours to induce the different localities to form local committees. They make the general arrangements, and we then assist them with funds. We appoint the lecturers, take a certain amount of the charge upon ourselves, and supply general organisation. I think I may read here the account of how we operate. "The scheme for carrying out "this object has been matured with the assistance of "the Universities Board, and has followed the lines "which have proved so successful in the case of the "Cambridge Syndicate. The course consists of weekly "lectures on various subjects, each course consisting of "not fewer than 12, or occasionally 10, lectures, "and each lecture lasting not less than one hour. "Each lecture is followed by class instruction oc- "cupying not less than half an hour; and at each "lecture the lecturer gives out questions, to be "answered in writing at home and submitted to him "for correction and comment. At the end of each "course an examination (in writing) is held, the "examiner (who is in no case the lecturer) being "specially appointed by the Universities Board. No "student is admitted to the examination who has not "attended the lectures and classes to the lecturer's "satisfaction; and the lecturer is not permitted to "accept as satisfactory, attendance at fewer than two "thirds of the lectures and classes. It is further "left to the discretion of the lecturer whether he "will require, in addition, a certain amount of "weekly paper work as a condition of entrance to "the examination, a condition which the lecturer in "most cases enforces. As the result of the examina- "tion, the Universities Board awards first and second "class certificates to such candidates as satisfy the "examiner; and the certificates thus testify not only "to the attainment of a particular standard of know- "ledge, but also to a regular course of organised work "under university superintendence. The society "thus does two things. For those persons who have "only time or inclination to attend lectures, it pro- "vides that the lectures shall be given" (this is a point on which we insist very much) "by men of "equal qualification with those engaged in teaching "at the universities themselves, and that the lectures "shall be in distinct courses. At the same time it "affords opportunities to all who are desirous of "studying a subject more fully of as regular and "systematic a course of teaching as their circumstances "render possible." I may state here that one of the main points on which we insist is not the delivery of popular lectures but of thorough lectures, and we claim that the lecturers who are appointed are all first rate university men of the same stamp as conduct the teaching at the universities, and each one of our lecturers has the stamp of the university upon him by having been nominated by the University Board. We insist upon the class teaching and the paper work in order to insure as far as we can that it shall be real study and not simply amusement. The council insist in all our arrangements upon thorough teaching, and we attach the greatest importance to the class teaching after the lectures. I will put in here the instructions for the lecturers which are drawn up by the universities joint board, and which have been approved by the council. I put that in in order to show the thoroughness of the work that we do. (*The document was handed in, vide Appendix B.*) Now with regard to the extent of our work. We have gradually increased until we have now 19 centres. "26 centres in the London "postal district have at one time or another been in "connexion with the society, and during the last "session (1881–82) 19 centres have been in active "work." Various classes attend our lectures. "It is "indeed a leading characteristic of the scheme that it "adapts itself to students of all degrees of leisure and "previous training, some of the most successful "classes having been attended largely by artizans. "Such is especially the case at the Whitechapel "centre, where the three subjects of English history, "political economy, and physiology have been con- "tinuously taught for nearly five years." And I venture to draw the attention of the Commission to that point, that it is not simply a spasmodic action but for five years we have been able to give a regular and systematic training in one of the poorest parts of London. "During the last session the number of entries "for the society's lectures at the 19 different centres "was: in the first term (October–December, 1881), "1,619; in the second term (January–April, 1882), "1411. Of this latter number, 700 (or 50 per cent.) "have stayed after the lecture for class teaching, and "329 (or 23 per cent.) have written weekly papers. "Over 10 per cent. of the students, moreover, entered "for examination, and 83 per cent. of the candidates "satisfied the examiners." I would call attention to this, that the second term, which is the term from Christmas to Easter, is always less well attended than that from October to December. It does not show any falling off in our work which has been continously increasing. It is the same in the Cambridge scheme; the total for the session shows an advance on the preceding session of 477 in the first term and 541 in the second. I may supplement that by saying, that in addition to the centres of last year, new ones are in course of formation at Bedford Park, at Crouch End, at Dalston, at Dulwich, at Greenwich, at Hackney, at Kilburn, at New Cross, at Southwark, at Stoke Newington, at Walthamstow, and at Woolwich. These facts, I think, bear out the contention which we make, namely, that we are filling a gap in the higher education in London, and that there is a considerable demand for our lectures. The ground is occupied by King's College and other organisations, as well as ourselves, but the great progress that we have made from year to year in our numbers shows, in our judgment, that there is a distinct demand for such lectures as we can give. In our first session, if I take the October to December term, we had 139 entries. In the second session we had 379, in the third session 284, in the fourth session 1,224, in the fifth session 1,142, and in the sixth session 1,619. That represents now the number of our students, 1,619 in the first term and 1,400 in the second, or we may say an average of about 1,500; and we hope to increase that number by at all events the formation of six or seven new centres next October. With regard to the classes and the kind of people who attend our lectures, we may say that really they are attended by all kinds; we have afternoon classes and evening classes. The afternoon classes are attended chiefly by the well-to-do; the evening classes by a great variety of people. If we had only got our afternoon classes we should not venture to come before the Commission at all, because those are classes that ought to be entirely self-supporting and would not be entitled to any assistance. As a matter of fact according to our system they help to pay for the poorer students. We have seven afternoon classes with 300 entries, but we have 17 evening classes with 1,130 entries. Now in the afternoon classes the fee for instance would be 1*l.* 1*s.* and at Blackheath we have 90 people, who are chiefly ladies, who pay 1*l.* 1*s.* each. They pay (if I may put it so) for 80 clerks and artisans, at 5*s.*, who are attending the lectures in other parts of the metropolis. So at Hampstead and at Croydon. If in any of the wealthier neighbourhoods a centre is not self-supporting we immediately drop it, because we are not prepared to say that any of our funds should go to them, but it assists us to work them in with other localities because we employ the same lecturers for all and there is a surplus occasionally, and oftener at these wealthier centres, which goes to

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the payment of the poorer centres. I should say that our lecturers receive 30*l.* for a course of 12 lectures, and we consider it scarcely enough. Under the Cambridge syndicate they pay 40*l.* for 12 lectures. I think at the Gresham College the pay is considerably higher, and also at the Gilchrist Trust, where I think it is 10*l.* for one lecture. Our financial arrangement is this, that the local committee determines the fees which are paid, and then bears one third of the deficiency, if any, and we contribute two thirds of the deficiency, receiving one third of the surplus if any. Now with regard to the class of people attending our lectures, at Peckham the local secretary is a lawyer's clerk; at Camden Road he is engaged in a newspaper office; at West Ham he is a clerk to the local board; at Battersea one is a master of a middle class school, the other a working man; at Croydon he is a tradesman engaged all day in the city; at the Tower Hamlets he is a working bookbinder, and there the class is mainly composed of artisans. As evidence of the necessity created for the class in the Tower Hamlets I may mention that there have been a Senior and a Junior Adam Smith Club formed among the artisans, showing that the teaching of political economy has stimulated an interest in that subject. I have mentioned to the Committee that in London during the last term there were 1,411 students, of whom 700 (or 50 per cent.) stayed after the lecture for class teaching, and 329 (or 23 per cent.) have written weekly papers. This is equal to the average under the Cambridge system. Now I will not trouble the Commission at much greater length, but I should like to say one word upon our finance. We have worked the society, I think I may say, with very great economy; our central or administrative charges are extremely low. I have mentioned that the lecturers are paid at a low rate, and we keep a check upon the local committee by requiring them to pay a third of the deficit. The total expenditure in 1881 was, roughly, 1,600*l.* and the number of students 1,200, which gives a charge of 1*l.* 6*s.* 8*d.* per head. With reference to the question as to whether we ought to be entirely self supporting, if we had had to charge 1*l.* 6*s.* 8*d.* to the students for the lectures, three quarters of our students would have been driven away. Some endowment, or I will not say endowment but some assistance, is almost indispensable to our system. I can put in a table showing how far our operations are self supporting (*The document was handed in, vide Appendix C.*) So far as the lecturers alone are concerned we stand thus. In 1876 the amount was very small, because it was our first year, we then received from the centres 98*l.* and paid out 111*l.*, but in 1881 we received from the centres 1,019*l.*, and the nett amount paid by us was only 161*l.* for lectures alone, so that it was a per-centage of 13 per cent. But besides the expenses of the lecturers we have also got to pay the examiners, we have got to pay a secretary, we have got to pay the small expenses of the central organisation and also the deficits, if any, in the poorer districts. But if the Committee will look at paragraph 10 of the memorial that we have sent in they will see that "the total "amount which the Society received in sub- "scriptions and donations during the year 1881 "was 491*l.*, but of this sum a considerable proportion "was made up of special grants, upon a renewal of "which the society has no right to rely." Paragraph 9 states the financial position of the society. We have been at work during four years, and it will be seen that we have worked up until we have got 1,600 students. Our resources at present have only been equal to our necessities by our late secretary working with no remuneration at all. Of course we must have a secretary in the long run who must be paid. "The "expenditure of the society is of two kinds:—(1) "contributions towards the expenses of the lectures, "scientific apparatus, and examiners' fees; and (2) "the current expenses of the society itself. These "latter charges have always been kept down to the "lowest possible level, and amounted last year (exclu- "sive of a secretary's salary) to no more than 164*l.*" so that I think the Commission will see that we have worked extraordinarily cheaply for a society which has 19 centres in different parts of London, but as it has been found under the Cambridge syndicate, by fees alone it is impossible to work it. We have got a certain income from subscriptions and through grants that some of the city companies have given us, sometimes 50*l.* and sometimes 100*l.*, but we are now in such a position that there is some danger of our being obliged to suspend our operations altogether unless we can put our finances upon a more satisfactory footing. At all events we cannot have nearly as many experimental centres as is desirable, because the way to spread our work is wherever we can get a local committee of strength and energy together to try a course for one year and if it succeeds to continue it, and if it does not succeed then to drop it. It is in that way we have ascertained where, in London, we can have our permanent footing. Then I think the Commission will see if they look at Sir Thomas Gresham's bequest that we come very near indeed to doing the work which is contemplated by that bequest. "Sir Thomas "Gresham provided for the endowment of 'seven "'persons meet and sufficiently learned daily to read "'the seven lectures on divinity, astronomy, music, "'geometry, law, physic and rhetoric.'" The Commission will have evidence as to the degree to which that is carried out by the Gresham College Committee, but I think we may fairly say, if anything is done with that trust, that our objects come as near to it as that of any society or body in London. The object of the foundation was to bring not technical, but what is now called, the higher education to London. The seven lecturers were to live in the college, and their lectures were to be given to the people of London. That is just what our society is doing. We endeavour to put a sample of university teaching and the results of university study before the inhabitants of London. The Gresham committee originally in 1598 (and this is very curious) applied to Oxford and Cambridge to appoint lecturers and to advise them generally how they might better discharge the trust committed to them, and we venture to think that we have taken precisely the course then recommended; we are giving lectures to the people of London and we have taken into council Oxford and Cambridge to appoint the lecturers precisely as was requested by the trustees of Sir Thomas Gresham. The present Gresham scheme appears to be inadequate, there is no real teaching, and I would point this out to the Commission, that their lecturers only give four lectures at a time at long intervals, that there is no class teaching, and no attempt at system. We, on the other hand, give twelve lectures, we have class teaching, and systematic teaching is the one point at which we mainly aim and without which Oxford and Cambridge would certainly not go with us, because the joint Board insist upon all our teaching being thorough. Then all the Gresham lectures are given at six o'clock in the evening. I believe the time and the place is against them. We carry our work to the doors of as many of the inhabitants in the metropolis as we can. We think that we have proved that there is a demand for our lectures; we are very modest, we think, in what we wish: if we had 1,000*l.* a year we consider that we should be able greatly to increase our work and to perfect it in this way, that we should be able to purchase the necessary appliances for experimental teaching in many cases; that we should be able to work more in the poorer districts, and that we should be able to feel that we could work permanently instead of from hand to mouth as we have been going on at present. That is our general scheme and the general nature of our work.

2138. Do I understand that you would wish to be more closely connected with the Gresham scheme?—Yes.

2139. That would be your main object?—That is certainly one of our objects, and that would be the solution that we should most prefer. I think that the Gresham estates had risen in 1821 to 7,000*l.* a year,

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and as the sum of only 700*l.* a year is paid to the lecturers there is a very large balance which, according to our contention, was intended for higher teaching and which apparently is not applied to that object at present. But what we should like very much would be fusion with the Gresham College, if with our organisation, connected as we are with the three universities, any kind of arrangement could be made. We venture to think that our organisation is precisely that which was contemplated by Sir Thomas Gresham, and while they have got only a certain number of students, who come into the city at 6 o'clock to attend these comparatively few lectures, we have got now the nucleus of higher education in 19 different parts of London, and we feel that that may break down for want of funds.

2140. (*Viscount Sherbrooke.*) Do you get any assistance from any of the City companies, I rather gathered that you did?—The Clothworkers' Company have given us 100 guineas, and a promise to subscribe 20 pounds.

2141. Has anybody else done so?—The Court of Common Council gave us 50 guineas on one occasion.

2142. Is that all that you have had from the City companies?—That is all that we have had from the City companies. I should say that we have applied to some of the city companies and hope that we may succeed in obtaining more funds, but I venture to put it very strongly before the Commission, that if there are funds available, it would be a pity that our work should be dropped. Either we must be supported more by private subscriptions, or we may not be able to carry on a work which I think, judging from the reports of the examiners, who are all practical university men, is of a thorough and satisfactory kind. I also call attention again to the fact that our administrative expenditure is very small, so that any money we get may be looked upon as really intended for developing education, and would not be at all wasted. On our council we have endeavoured to have representative men. I think it is a fairly representative council; I do not know whether the Commission would care to hear who they are, but there is one point, I should like to call attention to, namely, that besides our own council, there are eight or ten institutions in London, that nominate a member to our council, namely: the Bedford College, the Birkbeck Institution, the City of London College, the College for Men and Women, King's College, the London Institution, Queen's College, the Royal Institution, the Working Men's College, and University College. They all act with us in that way; they give us the advantage of having one of the members of their own councils to act with us, so that we have the full advantage of their experience both as regards lecturers and as regards getting hold of the classes whom we want to get hold of.

2143. Do you think if two or three or four thousand pounds were given to you every year certain, that that would be the means of permanently improving your work?—Yes, I think it would give us the means of establishing ourselves quite permanently, because we find (and that I think is very satisfactory) that every year we have advanced, and every year we find that more interest is taken in our proceedings. It is very hard work in London to get hold of the ground thoroughly, and it has been slow work but we think that the work we have done has certainly been good work.

2144. Do you think if you had this sum secured to you that it would not send you all to sleep?—Certainly I can say we have not been asleep so far.

2145. You have had to work for your money?—Yes.

2146. But suppose you had the money without working for it, would it not have that effect?—I do not think so, because we have been very ambitious to lay hold of the ground thoroughly; and I may say that two years ago, I think we should have been stopped altogether, unless I myself had written an enormous number of private letters, to get 500*l.* or 600*l.* together from personal friends. But one cannot repeat that operation, or one would become a nuisance to one's friends.

2147. You are now in the virtuous stage, but how would it be if you were made rich, do you think?—Of course it is easy to waste money, but our system is, I think, sound. I am bound to say that we should like to increase the payment of our lecturers from 30*l.* to 40*l.*, though we do get good lecturers. It is rather low for the 12 lectures for the hour of the lecture, for the class teaching afterwards, and for looking over the papers afterwards. We are of course anxious to get the very best men, and not only the youngest men who may leave us if they get better work. The way we are able occasionally to get good men is by having various centres, one at Whitechapel, another at Putney, another at Battersea, and so on. In that way we are able to work in the lecturers, so that they can deliver the same lecture at each place, and through the same organisation make a better income than they could if they were working in an isolated way. The plan we have acted upon through our central organisation, is to work in the whole system of lecturers, of whom we have a list. We have a list of lecturers, and supposing that a local committee is formed at Lewisham or Blackheath, or at Woolwich, they name their subject, and we provide the lecturer. We have under the sanction of the universities supplied so many political economy lectures, and so many in English history, and so on. The moment any demand is made we have our lecturer ready, and he goes to that particular locality.

2148. (*Duke of Bedford.*) Do you find that those who attend the lectures are sufficiently prepared in their minds to benefit by the lectures?—That of course is one of the difficulties, but there I point to our success at Tower Hamlets, where in the first year they may not have been sufficiently prepared, but they have gone on from year to year, and our lecturers have been often surprised to see what good work they get. It is for that reason that the class teaching is very important. The class teaching is worked in this way, that when they have difficulties in the class, they place themselves in communication with the lecturer after the class, and he examines them orally or he explains the difficulties. Then we have examiners who report to us, and the result of the examination shows us any deficiency on the part of the lecturers as much as on the part of the students who go in. Our secretaries also attend the lectures a great deal themselves, in order to be able to see what the quality of the work is, and to keep an eye upon the lecturers. I can put in one of our reports. My eye lights upon a report of Professor Morley. He says, "Eleven candidates presented themselves for examination of whom all have passed, 10 in the first division and one in the second. The work done was very good throughout, and the whole body of the answers made it clear that the lectures had been generally well followed and well understood. There were also satisfactory evidences of home reading in connexion with the course. I have read few sets of examination papers that have shown more clearly than this set of 11, at once the good quality of the matter taught, and clear intelligent appreciation of the teaching." Here I have got another. "On the other hand the fact that at several centres the examiner has awarded special marks of distinction (in all cases with the entire concurrence of the lecturer), shows that the society's lectures have often satisfied the requirements of the highest teaching. Thus at Hampstead, one of the best candidates is said by the examiner in English History to have done 'extremely well, 'showing great grasp of facts, with a good deal of 'insight and a clear and vigorous style'; whilst the candidate at Battersea (where as in Whitechapel, the class is largely composed of artisans), whom the examiner recommends for the Cobden Club prize, 'did excellently, and showed a sound and scholarly 'knowledge of the theory of economics.'" Of course

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the preparation of the students varies very much in the different centres, but I think that we have been satisfied that the work has been better than could have been expected from the miscellaneous classes. "At the Easter examination in political economy at "the Tower Hamlets centre, where the students are "mainly artisans, Mr. Toynbee, the examiner, re-"ported that 'all the candidates had done well, "'their answers being clear, thoughtful, and generally "'to the point,' and placed all five in the first "class."

2149. (*Sir S. Waterlow.*) May I take it that in your opinion, and from your knowledge of the work done by the Gresham Committee, and of the object and purposes for which Sir Thomas Gresham left that money, if that money was appropriated to carry on the work which you now carry on, the object intended would be better accomplished, and that a much larger amount of useful education would be given than is at present given by the Gresham Committee ?—That is my opinion.

2150. And therefore that the cause of education would be generally promoted by either transferring the funds at the disposal of the Gresham Committee to a committee doing the work which you are doing, or by compelling the Gresham Committee to vary the form and manner in which they do their own work ?—Yes, that is my opinion. Ours is a modern scheme based upon the most recent educational experience—experience gained by a good deal of labour by Cambridge mainly but also by Oxford University. Ours is based upon those principles, whereas the Gresham scheme is based upon comparatively older views and is not doing at present such active work.

2151. I presume you know that very few persons comparatively attend the Gresham lectures ?—So I believe, but upon that of course I could not speak, because I have no knowledge. Some of the lectures that I have heard of are not well attended, but there is a lecture on music, which I have heard is well attended, and some scientific lectures also.

2152. (*Mr. Alderman Cotton.*) I think your society has only been established five years ?—Six years.

2153. Have you applied to any of the companies for assistance lately, or was your application made in your early days ?—I think we have applied at various times, but I am not quite sure of that. At present we have got applications before several of the companies, and we shall be very glad of any assistance from them. We stand at present in this way, that we shall have a deficit in our accounts of 300*l.* at the end of the year, unless by some means or other we get some financial assistance ; but I cannot believe that we shall have to drop the work we are engaged in for the want of a certain amount of financial assistance.

2154. (*Mr. Pell.*) Who gives the class instruction of half an hour which follows the lecture ?—The lecturer.

2155. I think you said in answer to the Duke of Bedford that it was found that those who attend the lectures are now very much better prepared than they were at the first commencement of your undertaking ?—Yes.

2156. Do you know how they get that better preparation ?—It is by having listened to the lectures.

2157. Your effort has not given rise to the start of any educational machinery, with special reference to the London Society for the Extension of University Education in the different centres where you are now working ?—No, I think not. In the east end of London I think it has created a considerable interest, and it is working in with a desire to have a kind of central establishment. There we want rooms, and that is what we really should like to have.

2158. I was going to ask you about that.—It is very interesting that in some places the lectures have led to the foundation of permanent Educational institutions. The University College opened at Nottingham distinctly came from the syndicate lectures, and there the original endowment of 10,000*l.* was given "on "the condition that the Town Council would 'erect "'buildings for the accommodation of the University "'lecturers to the satisfaction of the University of "'Cambridge.' Similar results have followed in "Chesterfield, Liverpool, Sheffield and other places." The tendency of those lectures is to create, as we think, and as experience has shown, a further demand, but I think most members of the Commission know that it is much more difficult to move people in London than it is in the provincial towns, for the reason that London is so large ; and that it is easier even to collect in a provincial town or to get people to put down 10,000*l.* to found a college than it is to do it in London.

2159. In the Tower Hamlets how have you been provided with rooms for those lectures, who has furnished them, or can you say what rooms you have used ?—For a time the lectures were in the London Hospital. The London Hospital Authorities lent us a class room which was not very satisfactory, and now the lectures are given in Mr. Barnett's schools. Mr. Barnett is a member of our Council but we sometimes have a difficulty with regard to rooms.

2160. Has Mr. Barnett wished to get you out, or does he think he can accommodate you for sometime to come ?—Mr. Barnett is anxious to get us out, but Mr. Barnett is one of our most zealous friends. He is a member of the council, and takes as deep an interest in it as any one of us, I think. I should say the Gilchrist trustees have given us 100*l.* a year, which is also a trust for, I think, the payment of lecturers. I have put in also the instructions for lecturers, because they show distinctly the utilizing of the classes. Perhaps I may just read this. "The "classes may be utilized by the lecturers in any "of the following ways:—(1.) For asking and "answering questions, generally as bearing on the "lecture of the preceding week. (2.) For pointing "out common errors in the written answers to the "weekly questions, and dwelling on points of general "interest suggested by them. (3.) For explaining "and further elucidating points in the lectures. "(4.) For conducting some line of study parallel to "that of the lectures. (5.) For reading important "extracts out of books. (6.) For going through a "text-book, or in such other way as may be found "expedient." We have insisted very much upon the class work, though the lecturers sometimes have rather found it long to lecture first for an hour, and then to have class-teaching for another half-an-hour, but we consider that one of the most essential points of our scheme.

The witness withdrew.

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APPENDIX.

A.

Copy of a Decree passed (without a division) in a Convocation of the University of Oxford, 5th November 1878 :—

"That the delegates of local examinations be authorised to appoint representatives out of their own number to co-operate with the London Society for the Extension of University teaching in such manner as to the delegates may seem advisable."

Copy of a Grace passed (without a division) in the Senate of the University of Cambridge, 11th December 1878 :—

"That the local lectures and examinations syndicate be authorised to appoint representatives out of their own number to co-operate with the London Society for the Extension of University teaching in such manner as to the syndicate may seem advisable."

B.

Instructions for lecturers, drawn up by the Universities Joint Board and approved by the Council.

1. Each course, in connexion with which certificates are given by the Joint Board, shall consist of not fewer than twelve lectures and eleven classes, unless for special reason assigned, and shall in no case consist of fewer than ten lectures and nine classes. Each lecture is understood to occupy about an hour, and each class not less than half an hour.

2. The course shall be accompanied by a detailed syllabus of each lecture (except where the lecturer shall be permitted to dispense therewith), which shall serve as a guide to the students in following the lecture and in taking notes of it.

3. At each lecture the lecturer shall give out questions to be answered in writing at home by such of the pupils as desire to do so, who shall be invited to submit their answers to the lecturer for correction and comment.

4. The class each week may precede or follow the lecture as may be found most suitable for the local arrangements, and for the lecturer's system of dealing with the subject.

5. The classes in connexion with each course of lectures shall be formed only from among those who are attending that course, and shall consist of those who are desirous of studying the subject more fully. The class shall, at the discretion of the lecturer, take up either the subject of the lectures or cognate subjects bearing directly thereon and necessary for the better elucidation of the subject of the lectures. The teaching in the class shall be more conversational than that in the lecture.

6. The classes may be utilized by the lecturers in any of the following ways :—

(1). For asking and answering questions, generally as bearing on the lecture of the preceding week.
(2). For pointing out common errors in the written answers to the weekly questions, and dwelling on points of general interest suggested by them.
(3). For explaining and further elucidating points in the lectures.
(4). For conducting some line of study parallel to that of the lectures.
(5). For reading important extracts out of books.
(6). For going through a text-book,

or in such other way as may be found expedient.

7. The lecturer shall each term, upon the conclusion of the course, send to the Joint Board, filled in on a form for that purpose :—

(1). A short report of the results of the weekly work, &c., in connexion with each course.
(2). The names (in alphabetical order) of the candidates who may be admitted to the final examination.
(3). The names (to be marked by an asterisk in the above list) of those recommended for distinction on the strength of the weekly work.

8. No one shall be admitted to the final examination who has not attended the lectures and classes to the lecturer's satisfaction. The Joint Board leave it to the lecturer in each case to determine what is "satisfactory "attendance;" but in no case permits him to accept as satisfactory, attendance at fewer than two thirds of the lectures and classes. The Joint Board further leave it to the discretion of the lecturer whether he will require, in addition, a certain amount of weekly paper work as a condition of entrance to the final examination. The lecturer shall in his report state the method he has adopted.

9. In particular instances where individual students are unable to attend the classes, the lecturer may, if he think fit, and if he signify the same to the Joint Board in his report, accept a sufficient amount of weekly paper work instead of attendance at the classes.

10. In the first lecture of the course the lecturer should explain the value of the class as an opportunity for having difficulties explained, the importance of the weekly paper work, and the conditions on which certificates are given. He should state how far he means to insist upon weekly papers as a qualification for the certificate, and should explain his method of correcting and marking.

11. The Joint Board requires six copies of each syllabus, which should be sent to the Secretary, 22, Albemarle Street, W., upon the conclusion of the course.

C.

LONDON SOCIETY FOR EXTENSION OF UNIVERSITY TEACHING.

TABLE I.—*Showing how far the Society's operations tend to become self-supporting so far as* THE LECTURES ALONE *are concerned.*

—	Paid to Lecturers.			Received from Centres.			Nett Amount paid by Society.			Per-centage of gross Expenditure.	—
	£	*s.*	*d.*	£	*s.*	*d.*	£	*s.*	*d.*		
1876 -	210	0	0	98	17	8	111	2	4	52·8	1876
1877 -	540	0	0	322	5	11	217	14	1	40·3	1877
1878 -	540	0	0	312	17	2	227	2	10	42·0	1878
1879 -	880	0	0	591	19	4	288	0	8	32·7	1879
1880 -	1,167	4	0	877	3	6	290	0	6	24·8	1880
1831 -	1,180	12	3	1,019	6	5	161	5	10	13·7	1881

N.B.—This table does not take into account the sums paid by the Society in examiners' fees or scientific apparatus, but simply gives the amount paid in lecturers' salaries.

Mr. Benjamin Lucraft attended as a deputation from the London School Board.

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2161. (*Chairman.*) We understand that you have come here as representing the School Board for London?—Yes, and partly to express my own views.

2162. Do we understand that you have come here deputed by the Board to state a case on their behalf?—Yes; I come here to state a case on behalf of the School Board for London.

2163. (*Sir S. Waterlow.*) Do you do that in consequence of a resolution of the Board?—In consequence of a resolution of the Endowments Committee of the School Board.

2164. Then, in fact, you represent the Endowments Committee of the School Board?—Just so, but more than that, I represent the School Board because that which I am about to state will be what has been agreed to by the School Board for London. What I have to say is from the Blue Book which is issued by the School Board for London, and refers to cases that have come before them and been decided by that Board, and if there is anything I should have to say of my own unconnected with the School Board I will state that it is simply my own.

2165. (*Chairman.*) We are not fully acquainted with the case that you propose to lay before us, and therefore it will, perhaps, be more convenient if, instead of putting questions to you, I ask you generally to state what you have to request us to consider?—In the first place this has been agreed to by the School Board for London, that it is advisable that there should be a public audit for the reason that the accounts of school boards, boards of guardians, and other public bodies are audited by a public auditor, and it is considered likely to keep those public bodies straight with regard to their finances, and that the money is more likely to be spent in a proper way where there is a public audit; and the board agreed with that, and passed a resolution to that effect. I will just trouble you with two cases merely as specimens of the different points that I wish to bring before you. In the case of the trusts of St. Paul's School, St. Paul's Churchyard, under the Mercers' Company, there is an expenditure of over 300*l.* for a dinner and breakfast every year. It is considered that if there was a public audit that would not be allowed, and that this is expending money in a way that it ought not to be spent. There is another case; and this is all that I will trouble you with. In an action brought against the same Company the costs and expenses ran up to 8,000*l.* This money was paid in the first place, or was proposed to be paid, out of the trust funds, but the Court of Chancery intervened and declared that it should be chargeable against the corporate funds of the Mercers' Company. Now, if there had been a public auditor, and if there was, as a rule, a public audit for those endowments, this money never would have been spent, perhaps, in the first place. That is all I have to say with regard to the public audit.

Then, with regard to the working members of trades, I am of opinion that as the larger portion of the income for charitable purposes was left for the benefit of members of the companies, and intended, undoubtedly, to serve the interests of trade by supporting actual working and trading members of such trades, the whole of such money is misapplied when given to people merely on condition of their being members of a company, and regardless of the fact that such recipients have no actual connection with the trades represented by the names of such companies.

2166. I do not understand you now to be speaking of the charities of the company but of their corporate income?—I am speaking of the endowments. It is not conceivable that persons, at a time when the different guilds were composed of persons engaged in certain trades, would leave money for other purposes than that. They left it specially for the purpose of assisting members in the trades whose names the companies bear. To prove this I may state that the Saddlers' and Harness Makers' Guild was so engaged in the trade itself, that all the apprentices when out their time had to submit a specimen of their work for the examination of that guild, and their wages were actually fixed according to the ability that they had shown in the piece of work they produced; so that it was evident at that time, years back, that the guilds were intended for the purpose of encouraging trade and to carry out that object. I have another specimen of those cases here which I need not trouble you with especially as it is getting late and you have been sitting some time.

(1) Then there are many cases that we think come under the head of misappropriations. In very many cases the founders have expressly stipulated that the money which they devised by will for charitable purposes should be actually laid out in the purchase of lands, houses, &c. The object of the founders must have been twofold,—first, to obtain undoubted security; and second, to realize an augmented income by the increasing value of such property. Many cases can be pointed out in which the companies, in the capacity of trustees, have appropriated the capital sums to their own use, and made themselves responsible simply for the amount of interest on the original sum. I will give some specimen cases, "John Scott; 100*l.* to be laid out in freehold "estate, dated 1717. The object was to benefit the "poor. The company still pay only four per cent. "on the amount of the original bequest, although the "terms were that the money should be spent in free-"hold estate." Of course having been bequeathed as long ago as 1717, if this money had been laid out on freehold estate, it would have produced more than it does now. Then I will take a case from the Brewers' Company: "Elizabeth Lovejoy, in 1694, gave 180*l.* "to be spent in land. The company has held this "money in investment for nearly 200 years and "continues to pay only 9*l.* per annum, as provided "originally, whereas the property in which such "money has been invested must have multiplied "many times. If the money has not been laid out "in real estate, the company ought to be required to "pay as though it had been so invested, as they "were instructed so to do." Then there is another case from the Armourers' Company: "Thomas Dring; "original sum 20*l.*, for which the company now "grant 4*l.* per annum to the poor and retain the "capital, which they have held for 160 years. The "sum of 20*l.* laid out in property 160 years ago, "must yield a very much higher income than 4*l.* per "annum at the present date." The next case cited is from the Barbers' Company: "John Bancks in 1619 "gave a house and six acres of land at Holloway, the "then yearly rent being 17*l.* Of this sum 5*l.* was to "be applied to Christ's Hospital, which annuity of "5*l.* was purchased by the company in 1811. The "company were still liable to pay the balance for the "carrying out of the purposes named in the donor's "will, viz. the preaching of seven sermons annually. "The present value of this large estate cannot be "ascertained without full powers of investigation; "but it must be a very large sum." Six acres of land now in Holloway must be of immense value, therefore we think that there ought to be some strict inquiry into the whole of that case. "And as the in-"come is too great to be applied for the encouragement "of preaching sermons in the City of London, and "as the company have no title to the estate, I suggest "the application of this money to some useful purpose, "say to educational purposes, as set forth in the "Endowed Schools Act, 1869, section 30. Section 30 "is as follows:—In the case of any endowment "which is not an educational endowment as defined "in this Act, but the income of which is applicable "wholly or partially to any one or more of the following "purposes, namely; doles in money or kind, marriage "portions, redemption of prisoners and captives, "relief of poor prisoners for debt, loans, apprentice-"ship fees, advancement in life; or any purposes which

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(1) Several of the companies in question have communicated with the Commission denying the accuracy of these statements, and referring to their returns and to Mr. Hare's reports.

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" have failed altogether or have become insignificant " in comparison with the magnitude of the endowment, " if originally given to charitable uses in or before the " year of our Lord 1800, it shall be lawful for the " Commissioners, with the consent of the governing " body to declare by a scheme under this Act, that " it is desirable to apply for the advancement of " education the whole or any part of such endowment, and thereupon the same shall for the purposes of this Act be deemed to be an educational " endowment, and may be dealt with by the same " scheme accordingly; provided that in any scheme " relating to such endowment, due regard shall be " had to the educational interests of persons of the " same class in life, or resident within the same particular area as that of the persons who at the " commencement of the Act are benefited thereby." Then the next case is—" Robert Ferbras, in 1470, " devised two freehold houses in Dowgate Hill for " the benefit of poor members of the Company. For " nearly 400 years the Company applied the income " to their own corporate funds; and they appear to " have been ignorant of the fact that the property " was left for charitable purposes, until in the year " 1848 the fact was revealed on their being required " to give a title for the sale of the property to the " Corporation." I contend that the money thus applied to the Company's funds for a period of 400 years ought to be restored to the trust, and be applied in support of actual barbers, not merely for nominal ones. Then I come to a specimen case taken from the Clothworkers' Company. " Samuel Middlemore " in 1647, gave 800*l.* to purchase lands. After possessing this money for over 230 years, the Company continue to contribute only 70*l.* per annum " out of their corporate funds. If such money were " actually laid out in lands, it must be now worth more " than 70*l.* a year; if not so invested, the Company " should be required to pay the penalty of neglect." Then taking a specimen case from the Fishmongers' Company: " Jeremiah Copping, in 1686, gave 1,800*l.* " to be laid out in lands. Had such money been laid " out in lands 200 years ago as directed by the " founder's will it would now have yielded an enormous rental. The Company now pay from Consols " 71*l.* per annum only." The Embroiderers' Company furnishes the following case. " Mark Howse, in 1629, " left 140*l.* with which lands were to be bought. " After possessing this sum of money for over 250 " years the Company continue to pay only 7*l.* per " annum; and four years later a sum of 400*l.* was " given by the same benefactor to be spent in real " estate, then estimated to be worth only 20*l.* per " annum, for which the Company now pay 14*l.* only. " A further grant was made in 1635; and for all " these only 26*l.* a year is paid, 4*l.* to the parish of " St Thomas the Apostle, 2*l.* to the Governors of " Christ's Hospital for apprenticeship, and 20*l.* among " the poor and officers of the Company." Then we come to the Grocers' Company, " Humphry Walwyn, " in 1612, left 600*l.* to be spent in houses, the rents " of which were to be applied to charitable purposes. " The Company pay a rentcharge of 30*l.* per annum, " but retain all benefits which may arise from augmented value. William Robinson, in 1633, left " 400*l.*, to disburse the sum in purchase of lands and " houses; but the Company pay four per cent. on the " original capital, and claim all benefits obtainable " from the increased value." Then there are two specimen cases from the Mercers' Company. " Hugh " Perry, about 250 years ago, left 270*l.* in lands to " yield 13*l.* per annum. The Company pay the " original value of 13*l.*, and keep the benefit of the " increased value for their own use. Dame Joan " Bradbury, in 1523, left lands then worth 20*l.* a " year. The object of the trust was for carrying out " certain superstitious uses " (I do not know what " those uses are), " and to pay 30*s.*, a year for coal " to the poor of St. Stephen, Coleman Street. The " Company hold a block of buildings on ground " measuring 8½ acres in Long Acre, which I believe " to yield over 27,000*l.* a year. The accounts show " that they still pay the sum of 30*s.* to the poor of " St. Stephen, Coleman Street." This, I think, is one of the cases that ought to be inquired into. In the case of the Merchant Tailors' Company, " Sir John " Hanbury, in 1639, gave 500*l.* to be laid out in " lands, but the Company have invested the money " as they thought fit, and continue to pay less than " four per cent. on the original value." (1)In the case of the Skinners' Company, " Margaret Audley gave " 700*l.* to be spent in lands, the income to be applied " to charitable purposes. No lands appear to have " been purchased, or at any rate, the benefits of such " purchase have never been given to the trust, inasmuch as the original annuity of 35*l.* only is still " paid, notwithstanding that the Company have held " the capital for nearly 170 years."

Then there are what we consider to be impracticable trusts. I suggest that all trusts which have become impracticable should be diverted in accordance with the spirit of the Endowed Schools Act of 1869; and that the nature of the education to be given should partake largely of the technical character. I would like if you will allow me just to say a word or two with reference to technical education. Everybody is talking about technical education. I look at it from a workman's point of view, and the technical education that I wish to see brought about, is technical education for the workman; the technical education for professors and the like is quite another thing to technical education for the workmen. And technical education for middle class education is all very well for persons of leisure, but for a workman it is only advisable that he should be instructed in that which he is to get his living by, not the general scope of technical education required to enable a man to become a professor or a teacher. If a man is intended to be a carpenter or an engineer the technical education that I want him to have is that which appertains to the trade that he is to get his living by. He has no time to go into all the subjects of technical education and become acquainted with everything of the kind; and this, if it is to be done well, should be done while he is learning a portion of his trade, and while he is actually at work. When our boys leave the primary schools, say at 13 or 14 years of age, they may have passed, if clever boys, through the Sixth or Seventh Standards; they have got the education then that fits them to understand things. Now if a boy or a girl is to get a technical knowledge of a trade it is necessary that they should go to work at once to get that knowledge, but if for two or three years they are kept to the learning of the technical part of their trade, the science of their trade, and are not at work at it with their hands, then by that time many of them will have got too old to go to work; they will have got beyond that stage. What I should like to see is this, and it is in fact that which brings me here more than anything else—if anything can be got from these funds that the technical education of the working classes of London should be attended to in this way:—If a boy when he leaves school has to learn the science and the theory of the trade, apart from the actual working of it, and has to learn those before he commences, then you see he takes up at any rate two or three years of his time; but if we could have institutions (now that the apprenticeship system is done away with in a great measure) where a boy could be, say, half his time at school properly learning the theoretical part of his trade, and in the same building the other part of his time working with his hands at that trade for two or three years, then we should raise up by that means a number of skilled artisans who would be capable of carrying out work as foremen and clerks of works, and of becoming employers and the like of that. That is the technical education that I am anxious to see brought about. As a workman I speak. I am a cabinet maker myself, and for many years (that is since people have talked about art workmanship and so on,

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(1) *See* the letter of the Skinners' Company, *infra*, p. 357.

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and since the taste has spread amongst people who can afford to pay for and who desire to have things beautiful) I have felt vexed myself that I have never had the opportunity of obtaining the technical training which is necessary to enable one to produce those works. That technical training would be a blessing to those who desire it. My desire is not alone for our boys, but I am anxious for girls also, in relation to many things, embroidery and the like of that, that we have at the present time; and a technical knowledge of the particular trade that either a man or a woman gets his or her living at must be a great benefit to the persons so instructed and a great benefit to the nation at large. My opinion is that in the future the nation whose artisan class is best instructed will be the nation which will take the lead amongst the nations of the earth. It is upon those grounds that I desire to put this question before you in a different way to what our professors put it. I desire simply education for the boy or the girl in the trade that they have to learn. This could be easily given, I think; and without any desire to detain you any length of time or any longer about it, I may say that I have as chairman of the Endowments Committee of the London School Board gone through the whole of these matters and thought a good deal about them from my own point of view, that is as a workman; and it is on that ground that I am here. We have examined 1,028 trusts in 78 livery companies, and found two years ago that the then total income amounted to nearly 186,000*l.* a year. If anything can come from this inquiry that will enable the artisans of the future to become the workmen they were when the guilds taught them their trades and insisted upon it that the trades should be properly taught by the masters who professed to teach them; if something of that sort can be done out of some of those funds which were intended originally for that purpose, it would be a great benefit to the country. The division of labour is one of those things that makes it necessary that something of this sort should be done, or else in the course of a very few years old men, or men of my own age, will die off, and we shall leave in the trades those who have been taught a very small portion of the trades. That which they do know and practise they do well, but very few men understand a trade altogether. A boy who has had two or three years' training as an engineer, spending part of his time in the theory and part of it in the practical work, will at the end of that period be enabled to obtain a situation as an improver in a first-class factory, and after a few years actual work be capable of supervising the whole work all the way through, from the beginning to the end. I am sorry to detain you, but there is just one more thing I should like to mention. We have scholarships; and some of the city companies have been very generous indeed in giving scholarships for boys and girls in our elementary schools. I know of an institution established similar to that which I have been speaking about where instead of scholarships the purpose is merely to carry on the education of children somewhat higher than it generally is for two or three years. Scholarships should be attached to the technical school where they would learn the handicraft at which they will have to get their living, or else I am afraid that many of those boys that get a scholarship for three years in a higher school without any family to back them, and without any influence at all, will have lost three years when they should be at work; then they will not be inclined to go to work, and many of them, or most of them I am afraid, will simply become poor clerks. But if we had an institution of this kind I think the scholarships might be made very numerous, and that we might be enabled by them to train up the artisan class that will be required for the future; and I feel confident that a technical system is fitted to take the place of the apprenticeship system which seems at any rate for a time to have died out. I am reminded that the Mercers' Company have expended some very large sums of money in a manner which I think is wasteful. The annual expense of maintaining 28 inmates, a tutor, a matron, a gardener, and nurses of the Mercers' Company called the Whittington Charity is 1,570*l.* or nearly 50*l.* each. I do not think it was ever intended by the mercer who gave that money that Jane Parker should receive 140*l.*, that Maria Parker should receive 125*l.* and Joseph T. Parker 40*l.* Six persons bearing the name of Collyer received 270*l.* (or an average of 45*l.* each); six persons bearing the name of Totton receive 250*l.* (or an average of nearly 42*l.* each); two persons bearing the name of Heslop received 105*l.* (one of them 75*l.* and the other 30*l.*); three persons named Barnes receive 200*l.*; one person named Julia Green receives 115*l.* 15*s.*, and two women receive 300*l.* (or 150*l.* each). I do not think that such was intended. If some of those funds can be used for the purpose I have just named I think it will be a benefit to those who receive them and to the nation at large. I thank you for listening to what I had to say, and shall be willing to answer any remarks or questions that may be put to me.

2167. (*Mr. Alderman Cotton.*) Technical education as it is followed at the present day you consider to be a misnomer or a mistake, I understand?—It is not followed for people at work. There is no such thing that I know of. There are art classes and science classes and the like of that, and they are very well and have done good service, I think.

2168. A few years ago when technical education was first spoken of, it was intended to educate the artisan in the manner that you have yourself spoken of, was it not?—Yes, but it is not done.

2169. You object to the technical education so far as regards the building colleges for professors and people of that stamp?—I would not object to anything and do not object to anything; I simply want that done which is the best for those who actually work, because we may have a nation of professors, and still our artisans may not be at all skilled.

2170. In the case of moneys that have been left, suppose the case of a father dying and leaving a meadow to his eldest son, and 50*l.* a year from the proceeds of this meadow to two younger sons; and iron was discovered, or copper was discovered underneath this meadow, and instead of being worth what it was when the father died it should be worth 20,000*l.* a year, would you increase the sum bequeathed to the younger sons?—I would rather answer that if the case was before us. This is only a case that you have just conjured up.

2171. I put such a case to you hypothetically?—If we had such a case I would consider it.

2172. My object in putting it to you was to ascertain whether you think it is to be expected that corporations should do otherwise with property left to them than individuals would be expected to do with it?—I should think not; but where it was intended for the benefit of a trade, I rather think, since the guilds have given up trading in any way or teaching trades, that that which was given for the teaching of the trades originally really should be given for the teaching of the trades now.

2173. (*Mr. Pell.*) I did not quite understand what your idea was of technical education for the working classes; was it to train them to merely the mechanical part of their calling?—No, not entirely that, but the theory as well as the practice. I want the theory and the practice in the case of young people to be carried on at the same time, because if we wait until they have the theory we lose the time when they should be at work.

2174. (*Mr. James.*) I presume when you say that you desire a public audit of the accounts, you desire an audit conducted by Government?—Just so, we find that the wardens say "we have examined the accounts and find them correct"; they are the very persons who have spent the money, and would be sure to find their own expenditure and their accounts correct.

2175. (*Mr. Pell.*) I see here, though you do not state it, you are inclined to admit that alms, doles, &c., are demoralising "and calculated to weaken the spirit of self-dependence"; is not that part of your view?—

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Yes, I am not alone in that opinion. I think it is a general opinion.

2176. Because I suppose they do for people what they ought to be able to do for themselves; is that your view?—Yes, in a great measure.

2177. Do you think that that applies to the case of the School Board finding education out of other people's pockets for those who are to pay for it themselves, supposing that to be the case; I do not want to argue that?—That is not the case.

2178. Supposing it to be the case I say?—It is not the case. I refused a supposititious case just now; and there is a mistake here because those people who pay but a small fee pay in taxes and rates the other portion.

2179. (*Chairman.*) I understand generally that your view is this; that in the event of a redistribution of the property of the city companies some proportion (you do not define how much) ought to be allotted to purposes of technical education, and that I suppose I may take it includes the School Board work also?—I am not particular whether it is the School Board or what it is so long as it is the technical education that is necessary for the artisan class; that is what I want.

2180. The question I put to you is this; in the views that you have put forward are you expressing the opinion of the School Board?—Yes, I have stated nothing but what will appear in our Blue Book as being agreed to by the members of the School Board as a Board.

Adjourned *sine die.*

LONDON SCHOOL BOARD.

Appendix to Mr. Lucraft's Evidence.

The following statement had been handed in by the clerk to the Educational Endowments Committee of the School Board:—

ENDOWMENTS.

Need of Public Audit.

I am of opinion that there should be a public audit in the same sense as there is for boards of guardians and for school boards.

The trustees of the charities, *i.e.*, the companies themselves, spend the money, and then audit their own accounts.

In the case of school boards and boards of guardians, when any wrong or extravagant or illegal expenditure has been incurred, the persons authorising such expenditure are liable to be surcharged with the amount.

There have been many cases of illegal and extravagant expenditure in connexion with public trusts which appear to me ought to be surcharged.

In the case of the trust for St. Paul's School, St. Paul's Churchyard, under the Mercers' Company, there is an expenditure of over 300*l.* for a dinner and breakfast every year.

In one case of an action being brought against the same company, the expenses, amounting to nearly 8,000*l.*, were in the first instance charged to the trust. This is a specimen of cases in which a public audit is required to prevent the wrong expenditure of trust money. But for the Court of Chancery having intervened, this sum of money, spent to assert the improper action of the trustees, would have been taken from the trust fund, whereas it was afterwards declared to be chargeable against the corporate funds of the Mercers' Company.

Working Members of Trades.

I am of opinion that as the larger portion of the income for charitable purposes was left for the benefit of members of the companies, and intended undoubtedly to serve the interests of trade by supporting actual working and trading members of particular trades, the whole of such money is misapplied when given to people merely on condition of their being members of a company, and regardless of the fact that such recipients have no actual connexion with the trades represented by the names of such companies.

I am of opinion that the funds which were left at the times when the companies were actively engaged in promoting the interests of their several trades should be applied to further their original objects or some kindred objects.

Some of the wills of founders express the donors' intention to benefit actual operators; others appear to make no mention of militant traders; but the fact that the companies were in all cases founded to promote trade interests is, in my opinion, evidence of the intention of founders to encourage and support actual masters and workmen. It is inconceivable that men who left funds to their several companies, while the trades of such companies were the sole object of benefaction, could have desired to maintain merely nominal members, such as now constitute the companies.

Misappropriations.

In very many cases the founders have expressly stipulated that the money which they devised by will for charitable purposes should be actually laid out in the purchase of lands, houses, &c.

The object of the founders must have been twofold, viz.:—to obtain undoubted security and to realise an augmented income by the increasing value of such property.

Many cases can be pointed out in which the companies, in the capacity of trustees, have appropriated the capital sums to their own use, and made themselves responsible simply for the amount of interest on the original sum.

The profits in such cases have been claimed by the companies, instead of being given over in the interest of the trust; whereas, in the event of such funds being lost by misadventure, the companies have, in many cases, allowed the charities to die; and I am sorry to say that the law has not stepped in to compel the companies to refund in such cases.

Specimen Cases.

Reports of Commissioners for Inquiring concerning Charities, vol. 7, page 193.

**Armourers' Company.*—Thomas Dring: original sum 20*l.*, for which the company now grant 4*l.* per annum to the poor, and retain the capital, which they have held for 160 years. The sum of 20*l.* laid out in property 160 years ago must yield a very much higher income than 4*l.* per annum at the present date.

Vol. 7, page 194.

John Scott gave 100*l.*, to be laid out in freehold estate, dated 1717. The object was to benefit the poor. The company still pay only 4 per cent. on the amount of the original bequest, although the terms were that the money should be spent in freehold estate.

Vol. 8, page 300.

Brewers' Company.—Elizabeth Lovejoy, in 1694, gave 180*l.* to be spent in land. The company has held this money in investment for nearly 200 years, and continues to pay only 9*l.* per annum, as provided originally, whereas the property in which such money has been invested must have multiplied many times. If the money has not been laid out in real estate, the company ought to be required to pay as though it had been so invested, as they were instructed so to do.

Vol. 32, part II., page 463.

Barbers' Company—John Banks, in 1619, gave a house and six acres of land at Holloway, the then yearly rent being 17*l.* Of this sum 5*l.* was to be applied to Christ's Hospital, which annuity of 5*l.* was purchased by the company in 1811. The company were still liable to pay the balance for the carrying out of the purposes named in the donor's will, viz., the preaching of seven sermons annually.

The present value of this large estate cannot be ascertained without full powers of investigation; but it must be a very large sum. And as it is too much to be applied for the encouragement of preaching sermons in the City of London, and as the company have no

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* Several of these companies have communicated with the Commission respecting these "cases." They allege that they are inaccurate, and refer to their returns and to the reports of Mr. Hare.

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title to the estate, I suggest the application of this money to some useful purpose, say to educational purposes, as set forth in the Endowed Schools Act, 1869, section 30.*

Vol. 32. part II., page 463 and Unreported Charities (in hands of Charity Commissioners), Vol. 36, page 383.

Barbers' Company.—Robert Ferbras, in 1470, devised two freehold houses in Dowgate Hill for the benefit of poor members of the company. For nearly 400 years the company applied the income to their own corporate funds; and they appear to have been ignorant of the fact that the property was left for charitable purposes, until in the year 1848 the fact was revealed on their being required to give a title for the sale of the property to the Corporation.

I contend that the money thus applied to the company's funds for a period of 400 years ought to be restored to the trust, and be applied in support of actual carpenters, not merely of nominal ones.

Vol. 6, page 236.

Clothworkers' Company.—Samuel Middlemore, in 1647, gave 800*l.* to purchase lands. After possessing this money for over 230 years the company continue to contribute only 70*l.* per annum out of their corporate funds. If such money were actually laid out in lands, it must be now worth more than 70*l.* a year; if not so invested, the company should be required to pay the penalty of neglect.

Vol. 12, page 116.

Fishmongers' Company.—Jeremiah Copping, in 1687, gave 1,800*l.* to be laid out in lands. Had such money been laid out in lands 200 years ago, as directed by the founder's will, it would have now yielded an enormous rental. The company now pay from Consols 71*l.* per annum only.

Vol. 22, page 70.

Embroiderers' Company.—Mark Howse, in 1629, left 140*l.* with which lands were to be bought. After possessing this sum of money for over 250 years the company continue to pay only 7*l.* per annum. And four years later a sum of 400*l.* was given by the same benefactor to be spent in real estate, then estimated to be worth only 20*l.* per annum, for which the company now paid 14*l.* only. A further grant was made in 1635; and for all these, only 26*l.* a year is paid—4*l.* to the parish of St. Thomas the Apostle, 2*l.* to the governors of Christ's Hospital for apprenticeship, and 20*l.* among the poor and officers of the company.

Vol. 6, page 272.

Grocers' Company.—Humphry Walwyn, in 1612, left 600*l.* to be spent in houses, the rents of which were to be applied to charitable purposes. The company pay a rentcharge of 30*l.* per annum, but retain all benefits which may arise from augmented value.

Vol. 6, page 273.

William Robinson, in 1633, left 400*l.* to disburse the sum in purchase of lands and houses; but the company pay 4 per cent. on the original capital, and claim all benefit obtainable from the increased value.

Vol. 6, page 315.

Mercers' Company.—Hugh Perry, about 250 years ago, left 270*l.* in lands to yield 13*l.* per annum. The company pay the original value of 13*l.*, and keep the benefit of the increased value for their own use.

Vol. 4, page 148.

Dame Joan Bradbury, in 1523, left lands then worth 20*l.* a year. The object of the trust was for carrying out certain superstitious uses and to pay 30*s.* a year for coal to the poor of St. Stephen, Coleman Street. The company hold a block of buildings on ground measuring 8½ acres in Long Acre, which I believe to yield over 27,000*l.* a year. The accounts show that they still pay the sum of 30*s.* to the poor of St. Stephen, Coleman Street.

Vol. 17, page 450.

Merchant Taylors' Company.—Sir John Hanbury, in 1639, gave 500*l.* to be laid out in lands; but the company have invested the money as they thought fit, and continue to pay less than 4 per cent. on the original value.

Vol. 8, page 363.

Skinners' Company.—Margaret Audley gave 700*l.* to be spent in lands, the income to be applied to charitable purposes. No lands appear to have been purchased, or, at any rate, the benefits of such purchase have never been given to the trust, inasmuch as the original annuity of 35*l.* only is still paid, notwithstanding that the company have held the capital for nearly 170 years.

IMPRACTICABLE TRUSTS.

I suggest that all trusts which have become impracticable should be diverted in accordance with the spirit of the Endowed Schools Act of 1869;* and that the nature of the education to be given should partake largely of the technical character.

The following are specimen cases :—

Vol. 8 308.

Brewers' Company.—Samuel Whitbread, in 1794, bequeathed a farm for the relief of master brewers. Even 60 years ago the Inquiry Commissioners reported the great dearth of applicants with the qualification stated.

Vol. 3 II., p

Felt Makers' Company.—Philip Macham, in 1692, left 43 acres of land to yield payments for the benefit of master hat makers. There was a dearth of qualified applicants, and the company absorbed 2,000*l.* of the money of this trust up to the year 1838. I contend that the company should be called upon to refund the money thus improperly absorbed.

Vol. 6 276.

Grocers' Company.—John Wardall, in 1656, left rents of the value of 4*l.* a year to provide a lantern in Billingsgate. The parish authorities claim this 4*l.* a year in easement of their rates, now that candles are no longer required to light the streets.

I suggest that these charities, and all others which are found to be impracticable, or whose objects are obsolete, should be diverted to more useful ends, for which there are many precedents.

EXTRAVAGANT DOLES.

Comp Accou furnis to the Chari Comm sioner requi law.

Doles of food, money, coals and clothing are distributed annually to the amount of 108,498*l.* 2*s.* 3*d.* (*see* Grand Summary at end of Analysis in the School Board's Blue Book on the Charities administered by City Livery Companies). The greater portion of these are given to poor members of companies; some of the recipients have also free residence in almshouses held as trust property.

Specimen Cases.—Mercers' Company.—Whittington's Charity.

[Accounts, 1878.]

	£	s.	d.
There is an annual expense of maintaining 28 inmates, a tutor, a matron, a gardener, and nurses, amounting to - -	1,570	12	8
(Or nearly 50*l.* each.)			
One person, Jane Parker, receives	140	0	0
,, Maria Parker ,,	125	0	0
,, Joseph T. Parker ,,	40	0	0
Six persons, bearing the name of Collyer, receive - - -	270	0	0
(Or an average of 45*l.* each.)			
Six persons bearing the name of Totton receive - - -	250	0	0
(Or an average of nearly 42*l.* each.)			
Two persons bearing the name of Heslop receive - - -	105	0	0
(One of them 75*l.* and the other 30*l.*)			
Three persons named Barnes receive - - - -	200	0	0
One person, named Julia Green, receives - - - -	115	15	0
Two women each receive 150*l.* -	300	0	0

I contend that the payment of such large individual sums is a species of gross extravagance which cannot be defended morally, and which never could have been intended by the founder of the trust, whose principal provision was to provide for 13 poor persons in almshouses.

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* *Section* 30 *is as follows* :—"In the case of any endowment which is "not an educational endowment as defined in this Act, but the income "of which is applicable wholly or partially to any one or more of the "following purposes—namely, doles in money or kind; marriage portions, redemption of prisoners and captives, relief of poor prisoners for "debt, loans, apprenticeship fees, advancement in life; or any purposes "which have failed altogether or have become insignificant in comparison with the magnitude of the endowment, if originally given to "charitable uses in or before the year of our Lord 1800, it shall be lawful for the Commissioners, with the consent of the governing body, to "declare, by a scheme under this Act, that it is desirable to apply for the "advancement of education the whole or any part of such endowment, "and thereupon the same shall, for the purposes of this Act, be deemed "to be an educational endowment, and may be dealt with by the same "scheme accordingly; provided that in any scheme relating to such "endowment due regard shall be had to the educational interests of "persons of the same class in life, or resident within the same particular area as that of the persons who at the commencement of this "Act are benefited thereby."

ORAL INQUIRY, PARLIAMENTARY SESSION 1883.

LETTER of the MERCERS' COMPANY respecting the Statements made during the Session of 1882 by certain witnesses, before the COMMISSIONERS.

Mercers' Company.

SIR, Mercers' Hall, 14th December 1882.

IN reply to your communication of the 10th ulto., I am desired by the Mercers' Company to thank Her Majesty's Commissioners for their courtesy in supplying the Company with copies of the statements made to them.

The inaccuracy of many of these is no doubt mainly attributable to an imperfect acquaintance, on the part of their authors, with the early history of the City Guilds. So far as regards the Mercers' Company, this defect is remedied by the series of facts, which the Company had the honour to lay before Her Majesty's Commissioners in the first 15 pages of Return A., Part 1, of their answer.

The facts there set forth have been collected and arranged at the expense of a great deal of labour, in the desire entertained by the Company to furnish all the information that can be gathered on the subject. They extend (as the Commissioners will have remarked) over a period of more than 700 years, and it would scarcely be possible, the Company believes, to throw additional light on the matter. But if the Commissioners would have the goodness to point out any particular with regard to which they feel a doubt, the Company will give their best endeavours to remove any ambiguity.

In the statement prefixed to the Returns of the Company to the questions of the Commissioners, the views entertained by the Company with regard to the tenure on which they hold their property were distinctly stated. Those views remain unchanged; and the Company are glad to find that they have incidentally received an unqualified confirmation in the oral testimony of a legal authority of the highest rank before the Commissioners.

As regards the mode in which the Company's income is expended, the Company trust that the same sense of the duties attaching to the possession of property, which has hitherto guided them in the administration of their own, will continue to do so; and they venture to think that in this respect they have no reason to fear a comparison with the most liberal among the wealthy gentry and nobility of the realm; but considering this point to be one affecting themselves only, they decline to notice either the censure or the commendation which may have been expressed by others in reference to it.

While gratefully acknowledging therefore the courtesy of Her Majesty's Commissioners in offering "to receive "statements, and to hear evidence on behalf of the Com-"pany," I am desired to say that any action thereupon on the part of the Company appears to them superfluous, and that they are unwilling to encroach further on the time of the Commissioners.

I am, Sir,
Your obedient Servant,
JOHN WATNEY.

H. D. Warr, Esq.,
2, Victoria Street,
Westminster.

MEMORANDUM of the MERCHANT TAYLORS' COMPANY.

Merchant Taylors' Company.

The Royal Commissioners to inquire into the condition of Livery Companies having sent to the Merchant Taylors' Company, for their perusal, the evidence taken on the first eight days of their inquiry, the Company deem it to be their duty, no less than their right, to point out *substantial* mis-statements of fact, and erroneous conclusions drawn from them, which two of the witnesses have laid before the Commissioners.

The charges against the Company have not been stated with an explicitness such as might reasonably have been expected in so serious an inquiry, but they are to be found rather in a multitude of insinuations spread over some 20 pages, which, however, so far as they are capable of taking any form, seem to take the following:—

1. That the Merchant Taylors' Company have appropriated moneys of which they were trustees;
2. That they have also misconducted themselves in their capacities of landlords,
3. And as governors of their school; and this conduct is rendered all the more heinous, as in so acting they are doing violence to the rights of the London poor.

Each of these charges will be met and answered in turn. It may, however, be convenient here to dispose of the question whether the poor have any, and what, special claim on the funds of the Merchant Taylors' Company.

It is obvious that the purpose of some of the witnesses is to represent the livery companies as corporations created by the poor, and for the special benefit of the poor; as being the recipients of wealth accumulated from yearly contributions levied upon the poor freemen in former centuries. This representation, the Merchant Taylors' Company have here to submit, has *no* historical foundation. These guilds in their initiation were promoted, and during their continuance have been fostered, by the middle as distinct from either of the other two classes; individual members may have ascended from a lower to a higher class in society, but the guilds themselves have continued to be, as they now are, middle-class institutions.

The only way in which the poor can now in any sense be said to be connected with this Company is as recipients of their bounty, and as enjoying the funds which have been accumulated heretofore by the middle as distinct from the poorer classes.

Their relations with the Company may be either those of beneficiaries of a trust created for them by men of the middle class, in which capacity they may be honestly said to have received the whole, if not more than the whole, of what is due to them; or they may be considered as the recipients of a bounty which the Company, in recognition of the duties of the rich towards the poor, have voluntarily and spontaneously made to them, but in neither case can these voluntary benefactions be allowed to ripen into a legal claim upon the funds of the Company.

As has been before stated, the allegation that the Company must be considered as the heirs of the accumulated contributions of the poor in former times has really no historic foundation. That the Company used, under the name of "quarterage," to levy contributions upon the whole of their members, including the freemen, who were generally of the poorer class, is perfectly true, as will be seen from the 13th Ordinance; but it is also equally certain, that so long as any portion of these contributions were so raised from the poor, the whole, and not only the proportionate part which had been derived from the freemen, was expended upon the poor; and so far from the Company being in possession of any accumulations derived from such a source, they are annually out of pocket by the transaction, as, while the wholesome custom of contribution has been discontinued, the Company's disbursements under this head continue.

Clode's Memorials of the Merchant Taylors' Company, p. 214.

Wealth, in the hands of a man or of a guild, may be coveted under the beneficent plea of using it for the alleviation of poorer men's burdens, but the security for property would be lost if poverty was a justifying plea for confiscation.

I.—To revert, then, to the first of the special charges against the Merchant Taylors' Company, viz., that they have appropriated moneys of which they were trustees.

As the answer to this charge involves principally the correction of certain mis-statements of Mr. Beal, this may be perhaps the best place for the Company to explain how it is that they come to attach so much weight to Mr. Beal's utterances as to deem it necessary to devote no small portion of this paper to answering them.

In the first place, Mr. Beal speaks in a certain sense *ex cathedrâ;* he is, in the opinion of one at least of the Royal Commissioners,* the leading authority upon municipal matters, and, from his unique collection of literature upon the subject, he is not only justly thought to be in possession of the means of acquiring accurate information, but also, when he gives it, it is usually received as such:

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* Mr. Firth thus speaks of him at page v. of his preface to his work, "Municipal London":—"The author has to express his deep obligation "to Mr. James Beal, who may be justly regarded as the father of "municipal reform. It is to his energy and patriotism that the present "advanced condition of the question is mainly due; and if ever from "existing chaos there should come forth a London Municipal Govern-"ment worthy of that name, it is to him that the thanks of the citizens "should be given."

Merchant Taylors' Company.

he lectures also to the working classes upon this subject; and as the audiences are crowded,[*] and are reported to be so unanimous as to "assent universally to the ideas there expressed," it is a satisfaction to feel that in stopping error here, it is stopped at the fountain-head.

In the second place, the Commissioners themselves appear to have accepted, to some extent, his assistance, if not guidance, by giving him peculiar facilities for prosecuting his inquiries into the affairs of the city companies with a view to framing his indictment against them; and the man entrusted with such a task should be proved, not only to be honest, which, in Mr. Beal's case, needs no demonstration, but accurate, which Mr. Beal certainly is not.

Upon what evidence, it is asked, does this first charge rest? Apparently upon the misdoings of the Merchant Taylors' Company in regard to Donkyn's Charity.

It is proposed to give, first, Mr. Beal's version of this affair, and then the true one, remembering always that even for an erroneous mis-statement in such a matter there can be little excuse, as the whole history of this case is public property, and not only public property, but this very case of Donkyn's Charity has been singled out[†] by Mr. Beal himself for especial study, as a leading one upon the whole question of charitable trusts.

So far as any connected account can be garnered from Mr. Beal's somewhat incoherent statements, it would seem that a more than usually vigilant Attorney General[‡] haled the recalcitrant Company to the judgment-seat, and did not relax his grasp until the Company had disgorged the whole of their ill-gotten gains. Since that day Mr. Beal inclines to think that the race of Attorney Generals has declined, and that it will be a long time before we have another of equal pugnacity.

The true facts are as follows:—

Robert Donkyn, by his will, dated 1570, gave to the Master and Wardens of the Merchant Taylors' Company, in fee, certain lands and tenements, with their appurtenances, to the intent as to the rents and profits thereof, to make certain specific payments thereout; and he directed the whole of the residue of the rents to be gathered into the Company's stock, to repair and, if need be, rebuild the said tenements at their discretion.

The year after Donkyn's death, after providing for all the specific payments, there remained a residue of 9*l.* 13*s.* in the hands of the Company, which was carried to the Company's corporate account, and, until 1862, this was regularly done; at the same time it should be said that all the expenses of repairings or rebuildings were discharged out of the same fund.[§]

Now, in the first place, it should be noticed, in passing, that at the time when the residue was carried to the corporate account, viz., in the year 1571–72, it is more than probable that the Company were absolutely right in so disposing of it, for the question of what should be done with residues in such cases seems to have been decided for the first time in 1610.[||]

In the second place, it should be noticed that, even supposing they were wrong, it was in the power of the Crown, under the Statute of Elizabeth (43 Eliz. c. 4.), to call them to account, and to have a full inspection of all their deeds for that purpose; and the fact that the Crown, at a time when it kept a vigilant eye upon the doings of the City Companies, never thought it worth while to interfere with them, is some, if not conclusive, evidence that their disposition of it was right.

Memorials, p 657.

Coming to later times, we shall find that so far from the Company's keeping back or concealing anything in this matter from Commissioners or others appointed to inquire into their disposition of this income, they have always been ready and willing to make such a disposition of it as the law or its officers should deem right, and (even incredible though it may seem to Mr. Beal) have themselves instituted those proceedings against an unwilling and recalcitrant Attorney General which Mr. Beal supposes the vigilant Attorney General to have instituted against them.

This is literally true. The Merchant Taylors' Company were plaintiffs, not defendants, in the case of Donkyn's Charity.

How this came about the following short history of the facts will show:—

The Royal Commissioners may be reminded that from 1828, in which year the Commissioners of Inquiry, acting under 58 Geo. 3. c. 91, printed their report relating to the Merchant Taylors' Company's charities, Donkyn's will, and the dealings of the Company with the property devised under it, have been absolutely public property; and that if, after such a full disclosure, no action was taken against the Company, it can only be accounted for by the supineness of the Attorney General, according to Mr. Beal's theory, or, what is perhaps more probable, by the fact that the point as to the disposal of the residue was not so clear as to warrant any proceedings against them.

The year 1853 saw the appointment of the present Charity Commissioners; and it is, perhaps, not unreasonable to imagine that if any flagrant act of misappropriation was taking place, they were the persons, armed as they were with the very fullest powers of search and discovery, and having the reports of the Commissioners of Inquiry before them, to correct the error and place matters upon their right footing. It certainly never occurred to the Company, who saw what was going on elsewhere, to account for the Charity Commissioners' inaction by assuming that they, in company with the Attorney General, were suffering from an inordinate lethargy; they thought, perhaps unreasonably, but still perfectly honestly, that no reform was made in their administration of the charity because none was needed, and they still went on carrying the residue, whatever it was, to their corporate funds.

At last, in 1862, the present Charity Commissioners issued their order for Mr. Hare, their inspector, to examine into all the charities held by the City guilds; and, in performance of this duty, Mr. Hare, in or prior to January 1863, came to the Company's hall; he saw the will in question, and in the year 1864, in his report to his board, writes as follows:—"The construction always adopted by "the Company, and which seems to have been acquiesced "in by the Commissioners of Inquiry, is that the residue, "after keeping the estate in repair, is given to the Com"pany for their own use;" and he then adds, that "it "may be a question for the consideration of the Board "whether the actual construction of this gift should be "determined by any legal proceedings, and whether the "Company should be required to render the account of "the estate as of an endowment wholly charitable."

But the court of the Merchant Taylors' Company, desirous of doing what was right, did not wait for this report, as in fact, they never knew of its existence until Mr. Hare referred to it in his evidence before the Royal Commissioners. The doubts contained in that report Mr. Hare mentioned verbally to the Company's officers as early at least as 1863; whereupon the court, on the 28th of January of the same year, ordered the residue to be held intact for the charity as from 25th December 1862, and empowered their clerk to consult Sir R. Palmer as to the proper construction to be put upon Donkyn's will.

The opinion of Sir R. Palmer was given in the ensuing March, and was to the following effect,—"That, subject to "the provision for the 12 poor men and 12 poor women "(the donees of the specific payment mentioned above), "the Company are to be considered as trustees of the "property, and, as such trustees, bound to render to the "Charity Commissioners an account of the rents and "profits arising therefrom."

The Merchant Taylors' Company lost no time in acting upon the opinion here expressed, and, as early as April of the following year, had submitted to the Charity Commissioners, for their sanction, a scheme disposing of the whole of the residue to charitable purposes. This scheme, however, the Charity Commissioners did not feel able to accept, on the ground that it proposed to devote the residue in question to persons of a higher class than the original recipients of the charity; and, in January 1865, they referred it back to the Company for reconsideration.

It would not be unreasonable to imagine that, upon the refusal of this kind, made at a time when the Company were under no legal obligation to defer to the opinion of the Charity Commissioners, the Company would consider that their duties were at an end, and that it remained for the Commissioners to take the initiative in any further proceedings; but so far from this being the case, the Company cheerfully accepted the decision of the Commissioners, and applied themselves to the task of seeing how best they might meet their wishes.

With that object in view, a conference was held with the Charity Commissioners, in which it was suggested and conditionally agreed that a convalescent home should be established by the Merchant Taylors' Company, to be ultimately supported out of two funds—those of Donkyn (which are the subject of the present memorandum) and of the prison fund (the history of which fund is with the Royal Commissioners)—so soon as the equitable rights affecting the same should be decided. story Fund, ials,

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[*] "509. I have lectured at all the working-class clubs throughout the "metropolis for years past, and in every case they universally assent to "the ideas there expressed."

"513. The Eleusis Club is 1,000 strong."

"514. The Hammersmith Club has 460 members, that is the smallest, "I think."

[†] "915. I have read Donkyn's and the Wax Chandlers," &c.

[‡] "657. Look at the case of Donkyn: the public were represented, and the Attorney General made a great fight."

"911. *Q.* Who is to begin all this [*i.e.*, litigation to stop the misappropriation of trust moneys]?—*A.* The Attorney General began Donkyn's case and won it."

"741. *Q.* Surely, if it is public property, the Chancery Division of the High Court of Justice would enforce its being applied to public purposes?—*A.* Take the case of Donkyn's Charity as an example; but where will you get an Attorney General to fight a battle again like that?"

[§] The annual residue for 1880–1 was 1,81*l.* 2*s.* 2*d.*

[||] Thetford School case, 8th Report 130^{b}.

At the close of the year 1869, the Corporation of London notified their intention of obtaining parliamentary sanction for the use of the prison fund to establish a reformatory for boys, which led the Merchant Taylors, with other companies, into a parliamentary contest, in the session of 1870, to protect these funds from the Corporation representing the ratepayers of London.

However, not daunted by these difficulties, the Company, in January 1869, appointed a special committee to consider and select a site for a convalescent home. This committee consulted Dr. Gull, Mr. John Birkett, and other medical authorities as to its position as inland or seaside; and then, carefully considering nine different sites offered to them, ultimately selected Fitzleet House, Bognor, where the home is now established.

This estate was purchased, and taken possession of by the Company early in the year 1870. The house was immediately converted into a home, with 36 beds, now increased to 50, and opened as such on the 5th July 1870, for poor patients from any of the London hospitals.

As the Merchant Taylors' Company had then pledged themselves to carry on a convalescent home, how, it may be asked, was it that they subsequently appealed to the Court of Chancery for the proper construction of Donkyn's will? The answer almost suggests itself when it is noticed that the Wax Chandlers' case, which was decided in August 1869, wholly altered the law, and gave, as it was thought, all residues devised in similar terms to the trust devisees. Obviously, such a question could not be left in doubt, and, under these circumstances, the Company placed the papers again before Sir R. Palmer and Mr. M. Cookson, who, in April 1870, wrote as follows:—

"We are of opinion that this case, though in some respects more favourable to the contention of the Attorney General, is not substantially distinguishable from the Wax Chandlers' case; and that accordingly the Merchant Taylors' Company must, while that case remains law, be treated as entitled to the property devised to them by Mr. Donkyn's will, or its present representatives, for their own benefit, subject only to such deductions as are specifically mentioned in the will.

"In coming to this conclusion, we have taken into account the order of the Charity Commissioners of the 25th February 1870 (to which our attention was called in consultation), and which treats the accumulations lately invested in the purchase of the house at Bognor as trust property. Having regard to the terms of that order and the facts stated in the case, that since Christmas 1862 accounts of the receipts and payments in respect of the entire property have been rendered to the Charity Commissioners, we think it expedient that the Company should obtain an authoritative declaration on the point raised by the case, through the medium of the Court of Chancery. This may be done by filing a bill against the Attorney General, for which, the claim of the Company being adverse to the charity, the leave of the Commissioners need not be first obtained.

"ROUNDELL PALMER.
"MONTAGUE COOKSON.

"Lincoln's Inn, April 9, 1870."

A bill was accordingly filed, and the case was decided by the court of first instance on the 3rd November 1870, and of appeal in April 1871, declaring in both instances that the residue was a trust estate. The words in which these judgments were given furnish a justification to the Company, if such be needed, for their having taken the case before the courts for decision. In the lower court the judge (Lord Romilly) expressed his opinion that the litigation "raised a question which it was desirable to have settled"; and in the higher court the Lord Chancellor (Hatherley) described the case "as one of very great nicety," in which he came to this "conclusion with considerable hesitation." int s' ny rney- l. ity p. 35. h. 517.

To complete the statement of facts as to the prison fund, it should be mentioned that Parliament, in the session of 1870, threw out the Bill promoted by the Corporation of London; and then came the question of appropriating these funds to charitable purposes, which had to be dealt with by the Court of Chancery. This was done in 1873, by the reported case of Prison Charities, in 16 "Equity Cases," p. 145, which resulted ultimately in a transfer of these funds to the credit of the convalescent home.

The Company did not, as it will be seen, wait for this decision before establishing that home, although the scheme for that purpose was not finally approved and sealed by the Charity Commissioners until the 6th March 1872. *Merchant Taylors' Company.*

What, then, could any trustees, individual or corporate, do, more than the Merchant Taylors' Company have done to carry out a beneficent object; and where does Donkyn's case furnish a justification for Mr. Beal's contention that a new municipality should be originated to take the City companies by the throat and deal with them? See Memo. p. 389. 911.

II.—To revert to the charges of their misconduct as landlords.

The other witness to whom reference has been made is Mr. W. Gilbert, who has requested the Commissioners to take his evidence. He assures the Commissioners that "he has given a good deal of attention to the City generally, including the companies;" and his mission is to show that "he has formed and expressed a strong opinion "as to the action of the City companies in connexion with "the poorer population of the City." 1500. 1472. 1475.

In general terms he accuses the City companies of "driving the poor out of their districts." Whenever a "house is destroyed and a new one is erected, in almost "every case, especially with regard to those of City companies, a clause is inserted that no person shall be "allowed to sleep upon the premises, thereby totally "prohibiting the poor (though why only the poor?) from "returning." 1476.

In specific terms he formulates his accusation against the Merchant Taylors' Company "by an example, to "explain better what he means."

He states his facts thus: that in Coleman Street the Merchant Taylors' Company own a property which, some 10 years ago, they leased at 2,300*l*. a year "under a condition that the whole building should be pulled down "and about 200,000*l*. expended in building chambers, with "a strict clause in the lease that no one should be "allowed to sleep upon the premises." 1480.

When cautioned by one of the Royal Commissioners, lest he should be imputing blame to the Company upon imperfect information, he repeats his accusation "from his own personal experience" as a director in a large Assam Tea Company, which, by the bye, has on another occasion enabled him to furnish the Royal Commissioners with other information. It is suggested by the same Royal Commissioner that the leaseholder, and not the freeholder, has inserted this condition; but as his accusation against a City company, and his *raison d'être* for appearing before the Royal Commissioners, would fall to the ground if Mr. Gilbert accepted this (almost obvious) explanation, he answered, "No; the freeholders would not grant the "lease except upon that condition." 1520. 1571-3.

Now, whether the leaseholder has or has not inserted such a condition is not known to the Merchant Taylors' Company; but they do know that the terms in which the Inhabited House Duty Act is framed did formerly, until the Act was amended, oblige persons letting premises for offices or warehouses to insert such a stipulation, not against the poor, but to escape this very heavy taxation. 32 & 33 Vict c. 14, s. 11, and 41 Vict. c. 15. s. 13.

The facts are these.

The premises in question, prior to the re-letting referred to, were used as offices and warehouses, in which it is not probable that any persons resided, more than the occupiers required there for their employments. Be that as it may, the Merchant Taylors' Company did not seek or desire to alter in any way the purpose for which the premises should thereafter be used.

In the years 1875 to 1881 they granted ordinary building leases of these premises to A. A. Croll, Esq., at a ground rent, and with a covenant for an expenditure, not of 200,000*l*., as Mr. Gilbert asserts, but of 20,000*l*. 1875, July 14. 1876, June 7. 1879, July 14. 1881, Feb. 20.

Whether Mr. Croll built offices or warehouses, with or without residences for the rich or poor, was a matter as to which the Merchant Taylors' Company made no stipulation whatever; and it may be added, that neither in this nor in any other case, when granting a building lease, have the Company ever inserted such a covenant as Mr. Gilbert affirms them to have included in the leases in question.

III.—As governors of their school.

Before adverting to the statement of Mr. Gilbert on this head, the Merchant Taylors' Company may be excused if they preface these remarks by a short statement of their recent action as governors of that institution. This statement, it is hoped, will furnish reasonable justification, if such be needed, for their not having contributed as largely as other guilds have done to the Technical Institute.

Rightly, as they venture to think, the Merchant Taylors' Company recognised in 1866 an opportunity of largely increasing the usefulness of their old school as a high-class

Merchant Taylors' Company.

day school for the benefit of the residents in and about London. These matters are stated plainly in the Master's letter of the 23rd June 1866, to the governors of the Charter House, which is printed at length, p. 426 of the Company's memorials; but the paragraph to which attention is invited is as follows :—

" In conclusion, I have only to add, that the Company desire—whatever may be the result of this communication—that I should express to the governors their thanks for the opportunity offered to them of becoming the purchasers of their estate.

" All that the Merchant Taylors' Company have it in desire to do is to supply the want which obviously must arise—unless the governors of the Charter House are prepared to make some provision for it, after their relinquishment of that sphere of usefulness which, for upwards of 250 years, within the City of London, and partially towards its citizens, the Governors of the Charter House have occupied—a want arising from no fault in the citizens of London, but necessarily resulting from the removal of an ancient educational establishment far beyond the walls. To aid in the supply of this want (so far as their corporate means will allow) is the only motive that has induced the Merchant Taylors' Company to give such anxious consideration to the proposals of the governors. How far the Company may be enabled to accomplish this object is dependent in some degree upon the result of this negotiation; but, whatever the result may be, I shall ever feel conscious that my colleagues and myself have manifested every desire to meet the proposals of the governors of the Charter House in a candid and unselfish spirit."

At that date, and when the " Royal Commissioners on the Public Schools " reported the annual cost of the school to the Merchant Taylors' Company was (say) 2,000*l.* per annum, they were left free and untrammelled by the parliamentary enactments which were extended to the other schools, the subject of that inquiry. The confidence thus reposed in them by Parliament, the Merchant Taylors' Company venture to think, has not been abused. Since that date they have sold their Irish estate, and devoted the proceeds thereof, with other moneys, to the purchase of the site and erection of the school in Charter House Square at a cost of 91,600*l.* They have increased the number of scholars from 250 to 500 boys: and their annual expenditure has been increased from 2,000*l.* to 7,724*l.* These figures, it is hoped, will satisfy the Royal Commissioners that the Merchant Taylors' Company are not indifferent to the cause of education for the middle-class of London residents.

But to advert to Mr. Gilbert's charge against the Company.

730, 555. It is not, as against Eton and other public schools, alleged that the Company's School was instituted for paupers; but it is insinuated that it was founded for the sons of working tailors, for Mr. Gilbert on being asked " if a proportion of " the Merchant Taylors' fund should be applied for the " benefit of the tailors generally? " he replies, " Yes; and " that used to be the case. If you look at Machyn and " Stowe's diaries, you will find *they* give a description " of a dinner at Merchant Taylors' Hall, and also describes " the Merchant Taylors' School, in which there was " not a boy in the school that was not the son of a " tailor."

1565.

Sic.

The dinner will not probably be thought worthy of further notice by the Royal Commissioners, though that allegation might be easily answered; but the statement in relation to the school is one of graver moment.

As authorities for this strange assertion, Mr. Gilbert refers the Royal Commissioners to two authors, both of whom were members of the Merchant Taylors' Company; but before dealing with these, let it be noted, as dates are material, that the school was opened in the year 1561, under statutes framed by the Company. Though the number was limited to 250 boys, it was laid down in Rule 25 that " children of all nations and countries indifferently " should be taught, and as proof that children of different social grades should be accepted, Rules 5 and 6 should be referred to, as these provided that 100 should be taught freely, 50 paying 10*s.* a year, and 100 paying 1*l.* a year. There is not a scintilla of evidence in these statutes or elsewhere that the Company had any intention whatever of founding a class-school for tailors' sons.

Printed in p. 417.

But to refer to the authors quoted, Machyn's Diary closes, as will be seen on referring to it, in the year 1562-3, that is, within a few months after the school had been opened. Had he made the assertion imputed to him, its veracity might reasonably have been doubted, and the fact questioned whether 250 sons of tailors could have been found *instanter*, at the opening of the school doors, eligible to enter. But leaving this question for others to decide, it is certain that Machyn made no such assertion as is imputed to him. He does refer to " tailors' sons," so that he had his eye upon the craft, but his reference is not to the " scholars," but to the " wardens " of the Company, who in the year 1555 he notes to have been all " taylors' " sons.

Stowe, in his " Survey," which work, it is presumed, Mr. Gilbert means by his reference to it as a " diary," is equally silent on the subject, and well it is for Stowe's reputation as a chronicler that he makes no such ridiculous assertion.

P. 91 see r p. 84

Wilson in his school history, which an author of Mr. Gilbert's reputation cannot be ignorant of, asserts that in 1567 the scholars came not only from the districts adjacent, but from the counties of " Oxford, Northampton, Dorset, " Somerset, and even York "; and this is nearer the truth. However, the parentage of many of the earliest scholars in Merchant Taylors' School is biography within the ken of any tyro in history, and had the witness shown his authorities (if he ever found them) to any such friend, it is to be hoped that he never would have committed himself to the statement he has made to the Royal Commissioners.

Vol.

For conclusive proof it may be mentioned that the Merchant Taylors' Company possess a printed record of all entries in the school register from its opening until 1699, thus covering a period long after Stowe's death in 1605, and every page of this register furnishes a contradiction to Mr. Gilbert's assertion. Taking the first 10 years, up to 1571, as a test period, one tailor's son only, " William " Hodgson, son of Robert, tailor," is entered, viz., on 12th July 1566; and not even the majority of the scholars are " Merchant Taylors," though this term would not, having regard to the terms of Henry VII.'s charter, necessarily show the father to have been a " taylor."*

Prin 195 Men

Passing from Mr. Gilbert's evidence, the Company confess that they have commented upon it with some degree of severity; but they hope that their criticism will not be taken for detraction: it was necessary to proclaim with no uncertain note the fallibility of one who claimed to be an expert upon the subject of municipal reform, and to bring to the consideration of the subject a judgment ripened by his researches into the usage prevailing in all the capitals of Europe besides our own. If Mr. Gilbert has allowed himself to be betrayed into such mis-statements with regard to subjects upon which it is possible for any one to form a correct opinion, is it unreasonable to ask that his statements elsewhere should be tested and weighed before being accepted as facts?

But a word in conclusion. The Company wish it to be distinctly understood that in thus entering the arena of controversy they come not as defendants, since their conduct as a company needs no defence, and as for their reputation as honest men they are content to leave it in the hands of the Commissioners; but they come rather to dispel the cloud of prejudice and aspersion which seems to envelop the consideration of their case, and which is mainly due to the intemperate and inaccurate statements of their detractors. Mindful of this, they have confined themselves to a bare and they hope a conclusive contradiction of material facts, and have never descended, so far as they know, to the language of extenuation. Their war is with error, not with individuals, and they hope that no word in the preceding pages is calculated to give offence to any one who is honestly and earnestly endeavouring to promote the public good, even though it should be at their expense.

It is, however, with some difficulty the Company candidly admit that they have brought themselves to include Mr. Beal in this category, since errors, which in one of less pretensions to knowledge would be venial, from his mouth can be considered little less than reckless; in such a case omission is more apt to be suppression, and mis-statement distortion.

Whatever misgivings, however, they may have had upon this score they have been able to dispel by considering that perhaps, after all, Mr. Beal is not to be taken at his own valuation, and that though he has assumed the role of omniscience with an airiness and jauntiness such as are seldom seen in one who is alive to its duties and responsibilities, his claim to the title has yet to be established.

JAMES FENNING,
Master,
In behalf of the Master and Wardens.

Merchant Taylors' Hall,
Threadneedle Street,
10th August 1882.

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* This register has been carefully compiled by the Rev. Charles J. Robinson, M.A., one of the former scholars of the Merchant Taylors' School, and is on the eve of publication.

FOURTEENTH DAY.

Wednesday, 21st February 1883.

PRESENT:

THE RIGHT HONOURABLE THE EARL OF DERBY, CHAIRMAN.

HIS GRACE THE DUKE OF BEDFORD, K.G.
THE RIGHT HON. VISCOUNT SHERBROOKE.
THE RIGHT HON. LORD COLERIDGE.
THE RIGHT HON. SIR RICHARD ASSHETON CROSS, G.C.B., M.P.
SIR NATHANIEL M. DE ROTHSCHILD, BART., M.P.
SIR SYDNEY H. WATERLOW, BART., M.P.
MR. ALDERMAN COTTON, M.P.
MR. WALTER H. JAMES, M.P.
MR. ALBERT PELL, M.P.
MR. J. F. B. FIRTH, M.P.
MR. THOMAS BURT, M.P.

MR. H. D. WARR, *Secretary.*

Deputation from Grocers' Company.

The following Gentlemen attended as a Deputation from the Grocers' Company:—
The Master, Mr. J. T. Miller.
Second Warden, Mr. J. A. Kingdon.
Members of Court, Mr. W. T. Steinmitz and Mr. J. H. Warner.
Clerk, Mr. W. Ruck.

2181. (*Chairman to the Master.*) I understand that you have come prepared to lay before the Commission a statement of various points to which you wish to call their attention?—That is so, my Lord. We have already sent in, as we think, a complete return to your questions, but we have understood that the Commissioners wish to acquire a general knowledge of the leading facts connected with the Company, and this statement has been drawn up for their convenience.

2182. And I understand that you propose to read it?—That is so.

2183. We shall be very glad to hear it.

A.—The Grocers' Company have already, under protest, replied promptly and fully to the inquiries of the City of London Livery Companies' Commission, and in responding to the invitation addressed to them to offer statements and oral evidence, they are anxious to give the Commission all the information and assistance in their power. At the same time the Company respectfully submit that this action on their part shall not be considered as an admission in any sense of any special jurisdiction of the Crown, over the Livery Companies, or of the right of the Crown, without the authority of Parliament, to institute an inquiry into what has been judicially declared to be private property.

In 1833 the Company declined to appear before the Royal Commission appointed to inquire into the Municipal Corporations of England and Wales. They could not, as they thought, appear without admitting themselves to be a municipal corporation, and the Companies were advised that they were not municipal corporations by the most eminent counsel.[*] Moreover, the Royal Commission in that case purported to give power to call for papers, to compel the attendance of witnesses, and to administer an oath; and it was believed that such powers were illegal and unconstitutional. No such powers are conferred on the present Commission.

The Grocers' Company hold the second place among the 12 great companies of the City of London. The Commissioners are aware that the senior Company, the Mercers', have declined to avail themselves of the opportunity of offering oral evidence; and it is proposed, with the leave of the Commission and of the Mercers' Company, which has been obtained for the purpose, to read the letter addressed by that Company to the Commission on this subject:—

"Mercers' Hall, E.C.,
"SIR, 14th December 1882.

"In reply to your communication of the 10th ultimo, I am desired by the Mercers' Company to thank Her Majesty's Commissioners for their courtesy in supplying the Company with copies of the statements made to them.

"The inaccuracy of many of these is, no doubt, mainly attributable to an imperfect acquaintance on the part of their authors, with the early history of the City Guilds. So far as regards the Mercers' Company, this defect is remedied by the series of facts which the Company had the honour to lay before Her Majesty's Commissioners in the first 15 pages of Return A, Part 1, of their answers.

"The facts there set forth have been collected and arranged at the expense of a great deal of labour, in the desire entertained by the Company to furnish all the information that can be gathered on the subject. They extend (as the Commissioners will have remarked) over a period of more than 700 years, and it would scarcely be possible, the Company believe, to throw additional light on the matter. But if the Commissioners would have the goodness to point out any particular with regard to which they feel a doubt, the Company will give their best endeavours to remove any ambiguity.

"In the statement prefixed to the returns of the Company to the questions of the Commissioners, the views entertained by the Company with regard to the tenure on which they hold their property were distinctly stated. Those views remain unchanged; and the Company are glad to find that they have incidentally received an unqualified confirmation in the oral testimony of a legal authority of the highest rank before the Commissioners.

"As regards the mode in which the Company's income is expended, the Company trust that the same sense of the duties attaching to the possession of property which has hitherto guided them in the administration of their own, will continue to do so; and they venture to think that in this respect they have no reason to fear a comparison with the most liberal among the wealthy gentry and nobility of the realm. But considering this point to be one affecting themselves only, they decline to notice either the censure or the commendation which may have been expressed by others in reference to it.

"While gratefully acknowledging, therefore, the courtesy of Her Majesty's Commissioners in offering 'to receive statements and to hear evidence on behalf 'of the Company,' I am desired to say that any action thereupon on the part of the Company appears to them superfluous, and that they are unwilling to encroach further on the time of the Commissioners.

"I am, Sir,
"Your obedient servant,
"(Signed) JOHN WATNEY.

"H. D. Warr, Esq.,
"2, Victoria Street, Westminster, S.W."

To the views expressed generally in this letter the Grocers' Company adhere. The statement of the law

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[*] Among others, Sir W. Follett, Sir J. Scarlett, and Chief Baron Pollock. The following was the opinion of Chief Baron Pollock, then a leading member of the bar:—

"I am of opinion that the authority purporting to be given (to the Commission), of calling for all charters and papers is not legal: nor am I aware that the Crown can confer upon the Commissioners any means of compelling the attendance of witnesses or the production of papers. I think the Grocers' Company is not a Municipal Corporation; it has nothing to do directly with the government or protection of any city, town, or place; and I think the influence of its proceedings upon the election of either the magistrates or the members of the City of London does not make it a Municipal Corporation.

"I think the Grocers' Company are not bound to comply with any of the requisitions, or to answer any of the inquiries, that have been sent to them by the Commissioners.

"And I am of opinion that the Commissioners have no power of commitment or of proceeding by attachment.

"FRED. POLLOCK.

"Temple, 16th November 1883."

Deputation from Grocers' Company.

Ans. 1680—1686,1695.

made before the Commission by the highest legal authority in the kingdom is supported by the judicial declaration of Lord Langdale, M.R.* and is consistent with the uniform practice of the Company.†

The Grocers' Company also concur in the opinion of the Mercers' Company, that the inaccuracy of many of the statements made before the Commission is mainly attributable to an imperfect acquaintance on the part of the witnesses with the early history, and, it may be added, the present management of the City Gilds. The Court of the Grocers' Company feel that, after furnishing complete returns, they might safely have left these misstatements to the judgment of the Commissioners; but the investigation must have thrown much additional labour on the Commission, and the object of the present statement is to present the case of the Grocers' Company in as concise a form as the subject will admit without too much detail or legal technicality, and with references to various erroneous views which have been put forward either in books or in the oral evidence given before the Commission.

As the Commission began their oral evidence by examining members and officials of the Charity Commission, it is proposed to take, first, the subject of the Company's charities; secondly, to deal with the origin and history and constitution of the Company; and, lastly, with its present administration and the application of its income.

Part I.—The Charities of the Company.

By the Company's charities are meant the sums of money which the Company is legally bound to apply for charitable purposes, and of which a return is made every year to the Charity Commissioners.

In the case of the Grocers' Company, these charities bear a very small proportion to the corporate income. They are set out in detail in the returns (pages 19, 20), and consist of two classes: (1) a number of small payments charged on property of the Company for the benefit of various parishes, hospitals, colleges, and similar objects. These amount altogether to 315*l.* a year, and are simply paid over by the Company to the authorities legally entitled to receive them, and the Company are not responsible for the application; (2) charities under the management of the Company itself. A considerable part of these have been appropriated by a Middle Class School Scheme. Those which remain amount to 433*l.* a year,‡ and a capital sum of about 4,700*l.*§

The Commission may, perhaps, think it right to consider how far these charities are safe in the hands of the Company. On this subject important evidence was given by Mr. Hare, in his report to the Charity Commissioners in 1863 after an inquiry into the condition and circumstances of the charities under the management of the Grocers' Company. The following is an extract from the report:—

"The Grocers' Company decline to exhibit any statement of their property not specifically charged by the respective founders of the charities. It has not been an uncommon circumstance in the case of the other City Companies that charitable funds given them are not found at present set apart in any definite form of investment, whilst the Company generally admit their liability and pay the interest or dividends from their general property. There can be no doubt that in the case of these ancient, wealthy, and liberal bodies the funds are practically secure."

In illustration of Mr. Hare's opinion, it may be mentioned that the Grocers' Company are legally bound to expend 300*l.* a year on the school and almshouses at Oundle. The rest of the income, under Sir W. Laxton's will, about 4,000*l.* a year, belongs to the Company, by Lord Langdale's decision, as their private property. But the Company actually expend upwards of 3,000*l.* a year on the school, and about 300*l.* a year on the almshouses; and have, within the last eight years, laid out 28,000*l.* on school buildings, masters' houses, and playgrounds.

In the case of Witney School there is no beneficial gift at all to the Company; but the Company gives considerable help from their corporate funds. Thus, in 1877, the Company gave 433*l.*, and in 1878, 862*l.* In the case of Colwall School the Company is bound to pay 30*l.* a year, and actually expends upwards of 250*l.* There does not appear to be any beneficial gift.

In the case of the University Exhibitions the Company are bound to apply 40*l.* a year out of the income of the property, which now amounts to 670*l.* The Company actually give 575*l.* a year, exclusive of exhibitions from Oundle School. They are also maturing a scheme, with the advice of some of the most eminent scientific men of the day, for the endowment of original research in sanitary science. This will increase the expenditure under the head of exhibitions by 750*l.* a year, besides a quadrennial discovery prize of 1,000*l.*

These facts will probably satisfy the Commission that the charities of the Grocers' Company are, as Mr. Hare says, practically secure. It might be added that on more than one occasion when the Company contemplated large expenditure on their schools at Oundle or Witney, they applied to the Endowed Schools' Commissioners for a scheme, and in each case the Commissioners, influenced no doubt by the smallness of the endowment, preferred to leave the school in the management of the Company.

All the remaining charities of the Company were redeemed some years ago under the voluntary powers of the Endowed Schools Act, 1869, and the proceeds applied under the authority of a scheme in the building of a large middle class school at Hackney Downs. The date of the scheme is 24th March 1873, and it was the first scheme of any importance framed under the voluntary powers of the Endowed Schools Act. The Endowed Schools Commissioners expressly thanked the Company for setting what the Commissioners termed so good an example.

Mr. Hare in his evidence says he does not know of any City Company having applied for a scheme, and that the City Companies are not likely to apply for schemes. It is singular that he should be ignorant of the first, and certainly one of the most important cases in which the voluntary powers of the Endowed Schools Act were put in force. The reason probably is, that Mr. Hare is an official of the Charity Commission, and that he is not thoroughly acquainted with the proceedings of the Endowed Schools Commission to whose functions the Charity Commissioners succeeded in 1875. Mr. Hare's evidence on this point shows how easily witnesses, with the best intentions, may give a wrong impression as to facts. Mr. Longley also seems to have been unaware of the circumstances; no doubt for the same reason as Mr. Hare. Ans.

Ans.

The capital value of the Company's non-educational charities appropriated under the Middle Class School Scheme was 27,000*l.* To this the Company have added upwards of 5,000*l.* out of their corporate funds, and a large and flourishing school has been established at Hackney Downs, the district selected by the Endowed Schools Commissioners; but the scheme fixes the tuition fees too low, and the Company now makes good the loss on the working of the school, which amounts to about 1,500*l.* a year.

Among the non-educational charities of the Company, appropriated by the Middle Class School Scheme, is Lady Middleton's gift of 20*l.* a year for necessitous clergymen's widows. The Company, with a desire to respect and carry out the wishes of the founder, where this can be usefully done, even though the charity has ceased to exist legally, perpetuate the name and wishes of Lady Middleton by now giving between 700*l.* and 800*l.* a year for the purposes she contemplated.

The recipients of the gift are carefully selected. The old ladies, who are successful candidates, are invited to the hall, courteously received, and entertained at luncheon. Every effort is made to render the gift as welcome to the recipients as the act of giving is to the master and wardens who distribute the Company's bounty.

Connected with the question of the Middle Class School is a subject on which a grave attack has been made

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* See the case of the Attorney-General *v.* the Grocers' Company, reported in the sixth volume of Mr. Beavan's "Reports," p. 526. The Master of the Rolls says (page 550), speaking of the surplus revenue under Sir Wm. Laxton's devise:—"This revenue, according to the construction which it appears to me ought to be put on this codicil, "belongs as private property to the Company." The same observation would apply to other estates devised to the Company in terms similar in effect to those used by Sir Wm. Laxton, and still more strongly to estates devised to the Company absolutely without any condition, trust, or charge, or purchased, as in the case of the site of the hall and garden, by free subscription among the members of the fraternity.

† The Company's records show that from the middle of the 16th century to the present time they have from time to time sold and made a title to lands and other property, part of their corporate estate, as being absolute owners and without the intervention of the Court of Chancery. Probably the earliest recorded instance is in the year 1531; the latest, the sale of the Company's Irish estate in 1876.

‡ The following is a list of these charities:—

(*a*) 300*l.* a year for a school and almshouses at Oundle in Northamptonshire.
(*b*) 63*l.* a year for a school at Witney in Oxfordshire.
(*c*) 30*l.* a year for a school at Colwall in Herefordshire.
(*d*) 40*l.* a year for University exhibitions,

§ A capital sum of 4,656*l.* 10*s.*, held under Lady Slaney's will for the purchase of donative benefices.

Deputation from Grocers' Company.

upon the Grocers' Company by Mr. Beal, in his oral evidence; and the Commissioners could not have a better instance of the worthlessness of some of the charges made against the Companies. The case is this:—Among the charities appropriated by the Grocers' Company's Middle Class School Scheme, which has the force of an Act of Parliament, was a yearly sum of 9*l.* 2*s.* payable to seven poor members of the Company, and charged upon the lands and houses devised to the Company by Sir Henry Kebyll.

As to this Mr. Beal says:—

"The return of Keble's Charity is 9*l.* 2*s.* per annum; I turn from that to Herbert's 'Twelve Great Companies' for his evidence of Keble's Trust, and I find that includes a mansion in Old Jewry and houses behind, in Grocers' Hall Court; the site of Grocers' Hall itself was part of Prince's Street behind, and part of the present Bank of England. I put that modestly at 25,000*l.* a year, and it is returned at 9*l.* 2*s.*" Again, "In so far as I have attacked the honour of the Grocers' Company, it was upon the ground that they returned the 9*l.* 2*s.* only; they never said there was a return of 20,000*l.* behind it. This 9*l.* 2*s.* was the income from six cottages and gardens and yards somewhere about the year 1500. The entire income was given to be divided in certain ways; then I say, as a matter of law, that every shilling of that property, to whatever it may 06. amount, must be used for the same purposes. Keble's case I take to be a sort of test;" and "if we had these gentlemen here and asked them questions about it, we should change the face of these returns."

It will be observed that Mr. Beal makes two distinct charges against the Company; one, of making a false return by not including the site of Grocers' Hall in the property devised by Sir H. Kebyll's will; the other, of committing a breach of trust in not treating the whole income of the property as applicable to trust purposes. Mr. Beal makes his charges plainly and confidently; he affects to regard the case of Kebyll's will as a sort of test by which the Company is to be tried, and he does not scruple to say, when pressed, that the Charity Commissioners were certainly wrong when they took the same view as the Grocers' Company as to the legal obligation to pay the 9*l.* 2*s.* only.

These statements of Mr. Beal have induced the Company to institute a very careful investigation of the subject, and the result of this investigation is to confirm in every respect the accuracy of the Company's returns. The property devised by Kebyll's will is described with considerable minuteness, and can all be identified, and it seems as certain as anything can be, at this distance of time, that the will in no way refers to Grocers' Hall or its site.*

Mr. Beal's mistake is, however, a very old one. In the year 1686, when the Company were insolvent, and unable to pay their charities, they applied for an inquisition of charitable uses with the sole object of charging the whole of the Company's charities on the whole of the Company's property. For this purpose the Company's property was scheduled, probably very hurriedly, and under the head of Sir H. Kebyll's will was put—

"A messuage in the Old Jewry, then in possession of Sir Robert Clayton, a messuage then called Grocers' Hall, near the Poultry, in the possession of Sir Robert Jeffery, Lord Mayor of London, and a messuage, then several small messuages, in the parish of St. Peter's Poore."

The report of the Commissioners for inquiring concerning charities appointed by Parliament in 1818, quotes the will correctly, but also quotes the description given in the Inquisition, and this description was afterwards transferred verbatim to Herbert's book, which Mr. Beal quotes as his authority.

But if there is some excuse for Mr. Beal's mistake as to the property comprised in Sir H. Kebyll's will, there is no excuse at all for his statement that the entire income of the property devised by the will was specifically appropriated.

Sir H. Kebyll's devise to the Company was to the intent, and under the manner, form, and condition, that the Company should with the rents provide a chaplain, pay 6*d.* a week to seven poor freemen, and keep a yearly obit, with a gift over if the Company should make default. It is precisely the case put by Lord Cairns in his judgment in the Wax Chandlers' case stated fully in the Appendix to Mr. Longley's evidence. It is a devise upon condition. The devise is accepted, the condition must be fulfilled, and the money must be paid, whether the land devised is or is not adequate to meet the payment. The land is the land of the devisee, and every accretion to the value of the land belongs to the devisee. The charity which has the benefit of the condition has a right to nothing more than the payment. The same principle had been previously laid down by other eminent judges, among them Lord Eldon,* Lord Brougham,† Sir John Leach,‡ and Lord Cottenham.§ But the present case does not depend only on a rule of law, however well established. There is also a gift over, which shows that the testator himself distinctly contemplated giving a beneficial interest to the devisee on whom he imposed the condition.||

It is perhaps no exaggeration to say that Mr. Beal has, in connexion with Sir H. Kebyll's will, charged the Grocers' Company with something like fraud, and the Charity Commissioners ¶ with almost culpable ignorance or negligence. Not only are these grave and offensive charges altogether unfounded, but there is considerable reason to suppose that Mr. Beal has never even seen a copy of the will on which he has based them.

Mr. Firth, in his book "Municipal London," attacks the Grocers' Company in much the same way as Mr. Beal does. He says (page 79), "It is not without a "certain aptitude that one recognises the motto of the "Company, 'God grant grace.' It would have been "interesting to know how the graceless grocers do "dispense their vast trust property. For example, in "1636 one William Pennefather by his will gave "233*l.* 6*s.* 8*d.* to buy land of the yearly value of "11*l.* 13*s.* 4*d.*, such sum to be divided yearly amongst "seven poor almspeople. How much does the land "bring in, and how much is paid over? So a house "given to the same Company to provide 4*l.* a year for

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* Alderman Sir H. Kebyll, citizen and grocer, made two wills. One of these, now at Somerset House, does not affect the present question. The other, which relates solely to property previously conveyed to the testator by the Grocers' Company, cannot be found, but the Company possess a very ancient copy of it made apparently in 1524. Sir H. Kebyll devised the following property to the Company:—

(*a*) Two houses in Lawrence Lane in the ward of Westcheap. This lane is far to the west of Grocers' Hall. There is no entry with respect to these houses in the Company's books after 1549. They were probably sold in 1550 or 1551, for which years the records are missing.

(*b*) Two houses, with the gardens adjoining, in the Brode Alley in the parish of St. Margaret, Lothbury. This property was sold to the Founders' Company in 1531.

(*c*) The advowson of St. Stephen, Walbrook.

(*d*) The great messuage in Broad Street, devised to the Company by the will of Nicolas Alwyn. This is the Warnford Court property.

(*e*) A piece of vacant land with stables in the Old Jewry. This is the property No. 8, Old Jewry.

It is remarkable that, according to the recitals in the will, the whole of the property devised by it had been originally property of the Company, and had been conveyed by the Company to Keybll, who was a member of the court of assistants. He recites the various conveyances, but in the case of the Old Jewry property only does he say that any consideration passed. With reference to that property he expressly says it was conveyed to him for "a competent sum of money." There is therefore some reason for supposing that the only beneficial interest which passed to the Company under the will was in the Old Jewry property, and if so the Company have returned too much property instead of too little.

* Attorney-General *v.* Mayor of Bristol, 2 Jacob and Walker, 294.

† Attorney-General *v.* Smythies, 2 Russell and Mylne, 717.

‡ Attorney-General *v.* Cordwainers' Company, 3 Mylne and Keen, 534.

§ Attorney-General *v.* Fishmongers' Company, 5 Mylne and Craig, 11.

|| For the more complete satisfaction of the Commissioners on this important point the Company have recently laid before Mr. Horace Davey, Q.C., a copy of Sir H. Kebyll's will with a request to him to advise what interest the Company took under it. Mr. Davey's opinion is as follows: "I am of opinion that, according to the true construction of Kebyll's "will, the Company was entitled to the surplus and increased rents, after "providing for the charitable payments, beneficially. It will further "be observed that the greater number of the charitable purposes are "superstitious uses within the meaning of the Act of Henry VIII. and "Edward VI., and it is probable that they became forfeited to the "Crown and were redeemed under the Act of 4 James I., in which case, "I believe, it is always considered that the Companies re-acquired the "lands for their own benefit."

Mr. Davey probably had in his mind the case of the Attorney-General *v.* the Fishmongers' Company (Preston's will), 5 Mylne and Craig, 16. Some of the observations of Lord Chancellor Cottenham in his judgment seem very pertinent to such charges as Mr. Beal has made against the Grocers' Company. The Lord Chancellor says (page 25):—

"This probable ground of title, coupled with the 400 years' enjoyment, would, of itself, have been an answer to the claim made by the information. In this case, it is unnecessary to pursue that point further, as this additional ground is not required to support the decree of the Master of the Rolls, which I now affirm, and dismiss the appeal with costs; but I cannot part with this case without expressing my regret that this proceeding should have been instituted without that ordinary degree of consideration and research, which, if exercised, must have satisfied the relators that there was no foundation for the case attempted to be made.

"The title to property, after an enjoyment of 400 years, is questioned, and great trouble and expense necessarily occasioned to the owners, upon some expressions found in a will of the year 1434 which even a slight attention to the history of the time, the then state of the law, and the transactions relating to the property (which the relators do not appear to have taken any pains to ascertain), would have shown to be wholly unavailing for the purpose of supporting the claim made.

"The loss which this attempt will occasion to the relaters is no compensation for the injury which it has occasioned to the defendants, from which I regret the inability of the court to relieve them, beyond the costs of the suit, given by the decree of the Master of the Rolls, and the costs of the appeal, which I now order the relators to pay."

¶ Mr. Beal refers to the Charity Commissioners; it would have been more correct to have said the Endowed Schools Commissioners, whose functions were not transferred to the Charity Commissioners till after the scheme in question had become law.

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"an iron and glass lantern to be fixed in Billingsgate, "and 6*l.* 10*s.* to the poor. If the house brings in (as "it probably does) 300*l.* a year, how much is given to "the poor?"

Without saying anything as to the taste in which this passage is written, it will probably be sufficient to observe that the 233*l.* 6*s.* 8*d.* given by Pennefather's will was never invested in land, and that the yearly sum of 11*l.* 13*s.* 4*d.*, intended by the will to be secured, and the capital value of the house in Walbrook (176*l.* a year) devised by John Wardall were appropriated by the Middle Class School Scheme.* But the Commissioners will not of course assume, because the Company assented to the appropriation to the purposes of middle class education of the charities created for the benefit of poor members of the Company by Sir H. Kebyll, Pennefather, and Wardall, that there is any desire on their part to neglect their duty towards the poorer brethren of the fraternity. The Company have always considered their whole corporate property as applicable to the relief of their poor members, not as of right, but at the discretion of the court. The obligation to relieve unfortunate members dates from the earliest ordinances of the brotherhood, as far back as 1345, and it has always been observed. All applications from poor members are carefully inquired into, either by the court of assistants or by the master and wardens, and are dealt with on their merits, with a view to give liberal aid to the deserving, and to avoid anything like a system of doles. The expenditure of the Company under this head is about 4,000*l.* a year, upwards of 10 times the amount which, if the Middle Class School Scheme had not become law, the Company would have been legally bound to pay. Nothing could be more baseless than the imputation made by Mr. Firth on this subject.

The general charities of the Company are dealt with in a subsequent part of this paper.

Part II.—The Origin, History, and Constitution of the Company.

The first mention of the Gild of Pepperers is in 1180. The Pepperers of Soper's Lane, and the Spicers of Cheap, in the 13th and first half of the 14th centuries, represented the English element in London trade with the East, just as the terms "Brethren of St. Anthony," "Merchants of the Steelyard," and "Easterlings"† point to a foreign element. These merchants imported eastern products, practised the arts of coining and weighing, and to some extent banking.

As instances of the importance of the Pepperers it may be noticed that, in 1221, Andrew Bokerell, a pepperer, was keeper of the "King's Exchange." His duty was to receive old stamps or coining irons, and deliver new ones to all the mints in England. He was Lord Mayor for seven consecutive years, 1231–1237. Also, that at the beginning of the reign of Edw. III. 1328, while the commonalty of the City elected the custodian of the small beam, by which silks, and other speciaria were weighed by the *peso sottile*, or pound of twelve ounces, the Pepperers and their trade allies, who weighed by averdupois, elected the keeper of the great beam of the King, at which the *peso grosso*, or merchants' pound of fifteen ounces was used.

The Pepperers were also correspondents of the Italian bankers and merchants of Siena, Lucca, and Florence, and were probably concerned with the transmission of Papal revenues collected in England by the Pope's instruments, the preaching and begging friars. The Eastern trade also brought Lombard merchants to London, and by the year 1250 these merchants were firmly established in Lombard Street, to which they gave its name. In 1338 Edw. III., being in urgent need of money for his wars in France, extorted a large loan from the Lombards within his dominions. This eventually caused the ruin of the Italian merchants of Lombard Street. The greatest of them, the Bardi and Peruzzi, held out to the last, and failed in January 1345. This was a very severe blow to the Pepperers and their allies in trade with the East; and from this time the name Pepperers ceases to be distinctive of a gild; but on the 9th of May in the same year some 20 Pepperers of Soper's Lane "of good condition," undaunted by their trade reverses, met to continue their connexion as the social and religious fraternity of St. Anthony, and adopted St. Anthony as their patron saint. The records of the Grocers' Company begin with a very ancient and probably almost contemporaneous account of this meeting. The actual record is now being reproduced in *facsimile*, and it is hoped will soon be ready for presentation to the Commission. Nothing can be more quaint or circumstantial than this narrative of the proceedings of the 20 Pepperers, and their ordinances, "pointz" as they are called, have been happily preserved to us. These ordinances show that the objects of the fraternity were social, benevolent, and religious, "for greater love and unity," and "to maintain and assist one another."‡

Mr. Firth, in his work on "Municipal London," page, 47, refers to the origin of the Grocers' Company as described in "Herbert on London Livery Companies," and continues: "So amid prayer and feasting began "the Grocers' Company, and, as it had begun, so it "prospered, till, in the zenith of its power, as many "as sixteen aldermen of the City were inscribed on "its roll of members at the same time. . . . And "the origin of the Grocers' was typical of that of "many other Companies. Every member of the Com"pany was engaged in its trade, and had its interests "at heart; he subscribed his quarterage regularly to "the common fund; he was co-equal with all other "members of his Company; he helped to regulate and "control its expenditure; he had relief in case of "necessity; and, if he died in poverty, he was followed "to the grave and buried by the brotherhood, and the "Company's private chaplain publickly prayed for the "repose of his soul."

Mr. Firth follows Herbert's work published in 1837. Herbert simply copied the first edition of Baron Heath's excellent "History of the Grocers' Company," published in 1829. Subsequent investigations have shown that the Grocers' Company was not a craft-gild at all; that the first and crucial test of such a gild, that all members should be engaged in its trade, was not a rule of the Fraternity of St. Anthony or of the Grocers' Company, and that the institution of the Fraternity or Company was that of a social or religious gild.

It is true that the ordinances of the Fraternity of 1345 provide that no person should be a member of the Fraternity if not of good condition and of this mistery, that is, a Pepperer of Soper's Lane, a Canevacer of the Ropery, or a Spicer of the Ward of Cheap,§ or other people of their mistery‖ wherever they reside; but only three years later Sir John de Londre, parson of St. Anthony, was admitted a member, though presumably not of the craft; so, in 1348, were Sir John de Hichan, parson of St. Anthony, and Sir Symon de Wy, parson of Bernes.

The ordinances of the Grocers' Company of 1376 expressly ordain that no one of any other mistery shall be admitted into the Company without the common assent, and should pay for his entry 10*l.* This clearly points to a practice of admitting non-craftsmen, and, combined with the custom of freedom by patrimony and by redemption, which began about 1460, proves, as far as proof is possible in such a case, that the Company was not an exclusive or craft gild. There was, in fact, no "craft." We know that as early as 1363 complaint

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* There are two other cases of money having been left to the Company to be invested in land, Walwyn's will in 1612 and Robinson's will in 1633, and these are very properly mentioned in the Appendix to Mr. Lucraft's evidence, but he too is wrong in saying that the Company claim any benefit from the increased value. It seems to have been assumed by the Company in these cases that there was a power to invest in land, not an obligation to do so. The charities might no doubt have been benefited by the increased value of the land, if the investment in land had been made; on the other hand, the lands might have been lost altogether after the Great Fire. These charities were all for the Company's poor members, and any possible increase of value is much more than covered by the Company's expenditure for this purpose.

† St. Anthony was the founder of lay monastic orders. His disciples earned their own living as traders. They extended their trading establishments from Egypt and Constantinople through Lombardy and Gaul to England, and there is reason to believe that the quay or wharf, known in later times as the steelyard was originally a monastery of the lay monks of St. Anthony, and that those monks are meant by the term "Merchants of the Steelyard." These merchants of the steelyard paid toll to the King in kind, the toll being a certain quantity of pepper. They are also called "Easterlings," which is clearly a form of the word oesterlich, and probably meant "Men of the East," or "Men of the Eastern Emperor," *i.e.*, the Emperor of Constantinople. The Easterlings introduced improvements in coining from Constantinople, and gave their name to the new "sterling" money first made in England, A.D. 1180, to take the place of the debased currency, just as the floren of gold was so called from the Florentines who introduced it.

‡ The original record gives the names of 22 founders, but two of these were dead before the first meeting, and this is stated. The names were no doubt inserted on the application of their relatives or executors, with a view to their having the benefit of prayers for their souls. This clearly points to the religious element of the Fraternity.

§ The words are "Poyverer de Soper's Lane, Canevacer de Roperie ou Espicer de Chepe." In Baron Heath's "History of the Grocers' Company" and the Company's Returns the words "Canevacer de Roperie" have been inadvertently omitted.

‖ "Mistery," according to the best opinions, means simply "business." It is *ministerium*, not *mysterium*. The author of "Municipal London" makes an unnecessary "mystery" about this in his note on page 57.

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was made to the King and Parliament that the merchants called grocers (grossers) engrossed all manner of merchandise vendible *; that is to say, they were general merchants; and a "craft" of general merchants seems almost impossible at a time when every calling, trade, or handicraft was minutely defined and regulated.

In the leading work on the subject of English gilds,† they are distinguished as (1) religious or social gilds, (2) town gilds or gild merchants, and (3) craft gilds. Of these the most ancient form is the religious or social gild. The statutes of one of them, the Gild of Abbotsbury, drawn up as early as the beginning of the 11th century, actually remain. The object of that gild, according to the statutes, appears to have been the support and nursing of gild brothers; the burial of the dead and the performance of religious services, and the saying of prayers for their souls; a yearly meeting for united worship in honour of the patron saint; a common meal, and, in order that the poor might also have their share in the joys of the festival, alms on the day of the feast. Insults offered by one brother to another were punished on the part of the gild. He who had undertaken an office but had not discharged its duties was punished.

It is remarkable how closely these gild statutes agree with the ordinances of the Fraternity of St. Anthony of 1345, and the ordinances of the Grocers' Company of 1376. The same kind of religious and social duties are enjoined, and, making due allowance for the interval of three centuries, in similar terms. The modern representatives of this class of gilds are, it is believed, to be found only among the City Companies, which, owing probably to the commercial and municipal eminence of their members, survived the violent changes of the Reformation, when all other gilds of this class perished.

Of the other forms of "gilds," the learned authors of "English Gilds" tell us that the town gild or gild merchant was the whole body of full citizens, that is, of the possessors of portions of the town lands of a certain value, the "civitas." This, after many changes, has become the modern municipal corporation. The third form of "gild" was the craft gild. These gilds were originally the result of a struggle for independence on the part of the handicraftsmen. The leaders in this struggle were the weavers both in England and on the Continent. The contest of the Weavers' gild with the City of London from the time of King John to 1220 is an example of this, and the craftsmen appear to have been ultimately victorious. It was of the essence of a craft gild that all men of the craft, and none but men of the craft, should belong to it. The modern form of the craft gild is the trade union.

The term "grosser" or "grocer" is first applied to the Company in 1373. There is a break in the Company's records between 1357 and 1373. When they recommence in the latter year the title "Fraternity of St. Anthony" is dropped, and the Company of Grossers or Grocers takes its place.‡

The rapidity with which the Company rose to importance towards the end of the 14th century has been already noticed. By this time the practice of garbelling, *i.e.*, the cleansing or examining of spices, drugs, &c., to detect and prevent adulterations had been established. The first garbeller was Thomas Halfmark, a Grocer. About the same time, John Churchman, Grocer, founded the first custom-house for wool, and through him the duty of wool weighing devolved on the Company. In 1411 a descendant of Lord Fitzwalter who, in the reign of Henry III., had obtained possession of the chapel of St. Edmund, which adjoined his family mansion, sold the chapel to the Company for 320 marks, and in the next reign the Company purchased the family mansion and built their hall upon the site. The foundation stone was laid in 1427 and the building was completed in the following year. The expenses were defrayed by the contributions of members. Five years later the garden was added.

In 1428 the Company's first charter of incorporation was granted by Henry VI.

The reason for the application was, no doubt, that the recent purchase of a site for the hall involved the necessity of a license in mortmain.§ The corporate name was "Custodes et communitas Misterii Groceriæ Londini." The Company are to have perpetual succession and a common seal, and are to be for ever persons fit and capable in law to possess in fee and perpetuity lands, tenements, and rents, and other possessions whatsoever: that is, the artificial incapacity to hold land created by the Act of Richard II. was removed. Then there is a further grant that the Company may acquire lands, tenements, and rents within the City of London and suburbs thereof, "which are held of us" to the value of 20 marks per year, and a charter of the following year provided that the hall and its site should be considered of the value of six marks out of the twenty. With respect to this charter it is to be noticed that it contains no reference to trade and no condition of any kind. It is the charter of a religious or social gild, not of a craft-gild.||

In 1447 Henry VI. granted to the wardens of the Company the exclusive right of garbling throughout all places in the kingdom of England, except the City of London. This is not a charter affecting the corporate body of the Company, but letters patent directed to the Wardens." ¶

Charters were also granted to the Company by James I. and Charles I., enlarging the power to hold lands in mortmain, and giving authority to punish all delinquents, unduly or insufficiently carrying on, or exercising the mystery or art of Grocer. In these charters, the power to hold land (in the latter charter without limit) is unconditional, and the trade powers do not form an essential part of the incorporation, but are superadded; the exercise of the trade powers is not limited to members of the Company.

In 1640 the Company, on obtaining their charter from Charles I., furnished him, on his demand, with the sums of 6,000*l.* and 4,500*l.* In 1642 they lent 9,000*l.* to the Parliament, and the next year 4,500*l.* to the Lord Mayor "for the defence of the city in these dangerous times." The Company also granted loans or gifts of 2,000*l.* and 1,360*l.* to Charles II.

That these gifts or loans were very onerous there can be no doubt. They were met by the contributions of members, and by mortgage of the Company's property In the last resort the Company's plate was sold in 1642–3 for 1,204*l.*, to raise the money required. In the case of the 1,360*l.* loan, the members of the Company were assessed as follows: Aldermen 9*l.*, Assistants 7*l.*, Livery 5*l.* each.

The Company throughout this period kept, in common

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* "Les Marchantz nomez Grossers engrossent toutes maneres de marchandises vendables."

† "English Gilds," published for the Early English Text Society by N. Trübner & Co., 1870.

‡ A Grossarius of Soper's Lane appears in one of the letter books for the year 1310; and in A.D. 1328, 2 Edw. III., a body termed Grossarii is mentioned in a list of the several mysteries of London. Ravenhill, Clerk of the Grocers' Company about 1690, asserts that John de Grantham was in 1329 chosen mayor by the title of Grocer; but his authority for this cannot now be found. In the enrolments of the City gilds in 1318 and 1328, the Grossarii and Pepperers seem to have united, and the term grossarius gradually prevailed. Whether the term "grosser" was derived from the use of the *peso grosso* or averdupois weight, or from the fact of the leading members being dealers *en gros*, is uncertain. A third derivation was suggested in 1363 by trade rivals, who petitioned the King and Parliament against the merchants called Grossers, who "engrossed" all kinds of merchandise.

Whatever be the derivation of the word "Grocer," it is plain from the foregoing considerations that the word as used with reference to the Company was of very wide application. It probably included all merchants and wholesale dealers, and had little or no relation to the retail business to which the term is now limited.

§ The first Mortmain Act which affected gilds and fraternities was 15 Rich. II. c. 5., A.D. 1391.

|| The charter is printed at length at the beginning of the Company's returns.

¶ It may be interesting to note some of the instances of the interference of the Company with the adulteration of goods:—

As early as 1456 a fine was inflicted on one John Ayshfelde "for "makynge of untrewe powder gynger, cynamon, and sawnders."

In 1561 the books show that "bags and remnantes of certeyne evil and "naghte pepper," were ordered to be conveyed over sea to be sold, and the dust of "the evil pepper syrnamed gynger" was to be burned.

In 1562 the Court made an order that "grocerie wares shall not be sold "in the streetes, figges onlie excepted." And that the apothecaries, freemen of the Company, should not use or exercise any drugs, simple or compound, "or any other kynde or sortes of poticarie wares but such as "shall be pure and perfyt good."

In 1571, Rauf King, a brother of the Company, "and certain others, "makers of comfytes," were charged before the wardens for their mis-"demeanours in mingling starch with the sugar, and such other things "as be not tolerated nor suffered. And the said Rauf King having now "in his place a good quantity of comfytes made with corse stuffe, and "mingled as aforesaid with starch and such like," it was ordered that the comfits should be put into a tub of water and so consumed and poured out; "and that every of the comfytt makers shall be made to "enter into bonds in 20*l.* that they shall not hereafter make any biskitts "but with cleare suger onelie, nor make any comfytts that shall be "wrought upon seeds or any other thinges but with cleare suger onlie."

On the 7th February, 1616, Michael Eason having been convicted before the Court of Assistants, he being an apothecary and brother of the Company, of selling "divers sortes of defective apothecarie wares, which, "on trial, were found to be defective, corrupt, and unwholesome for "man's body," and it being further proved "that he had sould and "uttered the like wares to Mr. Lownes, the Prince his highness's apothe-"carie, and others, and he alsoe being found very unfitt in making of "compositions and confections, and insufficient and unskillfull to deale "therein, he is by the Court, in consideration of the great damage and "danger which might happen to the Companie by permitting such enor-"mities, committed to the Poultrie Compter." There are several instances of the Company proceeding to these extremities.

As late as 1649 it was ordered that the search be again revived and evil goods destroyed.

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with others, a store of corn, according to ancient custom, for the supply of the poor at reasonable prices when bread was dear. In the year 1560, the charge on the Company for this purpose amounted to 400*l*. The Company had regular granaries at Bridewell and at the Bridge House. The stock of corn was constantly kept up till the Great Fire in 1666. The money required was levied by a personal contribution from the members, and two of the livery were from time to time appointed by the Court under the name of "Corne Renters" to collect it.

The Company were also bound to maintain an armoury at their hall.

At the time of the Great Plague in 1665, the Company were assessed in various sums of money for the relief of the poor, and they also provided a large quantity of coals.

The next year the Great Fire inflicted losses on the Company from which it did not recover for nearly a century. The Company's hall and all the adjacent buildings (save the turret in the garden, which fortunately contained the records and muniments) and almost all the Company's houses were destroyed. The first action of the Company was to endeavour to provide another hall. Their funds were exhausted, and there were heavy debts. An appeal was made to the liberality of the members of the Company in the form of a subscription, and the wardens personally solicited contributions. In 1668 Sir John Cutler came forward and proposed to rebuild the parlour and dining-room at his own charge.*

In January, 1671, a special court was summoned, to consider a Bill exhibited in Parliament by some of the Company's creditors praying for an Act for the sale of the Company's hall, lands, and estates, to satisfy debts; and to make members of the Court liable for debts incurred. The next year the hall was, at the instance of the Governors of Christ's Hospital, sequestered, and the Company ejected till 1679, when, after great difficulties and impediments, money was borrowed to pay off the debts, and get rid of the intruders. In 1680 the Court of Assistants agreed that the most effectual way of regaining public confidence was to rebuild the Hall. Sir John Moore set an example of liberality by contributing 500*l*., and he was followed by many other members of the Court.†

So pressing at this time were the parishes for their charities and arrears, that on one occasion the member of the Court raised 30*l*. out of their own pockets to pay Luddington parish, and so stayed Chancery proceedings; and they resolved in future to raise money out of their own pockets to pay annual charges to parishes.

In order to prevent a second sequestration, an Inquisition was taken in 1680, before Commissioners for Charitable Uses, and, pursuant to a decree made by those Commissioners, the Company in 1687 conveyed their hall, and all their revenue (subject to existing charges) to trustees, to secure the arrears and payment of the yearly sums and charities charged upon the property by the various donors. Under the decree a period of 20 years was allowed to the Company to discharge their debts. The trustees left the appointment of the receiver to the Court of Assistants, who nominated the clerk.

The records of this period show that the continuity of the Company was maintained, and its property saved from destruction, by the personal exertions and private liberality of members of the Court.

A minute of the Court of the 18th of August, 1687, throws light upon the reduced condition of the Company at this time, the earnest desire of the members to improve it, and the view then taken of the purposes of the Company and the management of the property. The minute speaks of the Company as "a nursery of charities and seminary of good citizens," but makes no reference whatever to any connection with trade.

Towards the end of the 17th century, the Company's right of garbelling fell into desuetude. The last mention of it is in 1687, when a Mr. Stuart, the City Garbeller, offered to purchase "the Company's right in the "garbling of spices and other garbleable merchan-"dise." The Court, finding that from long disuse their privilege of appointment to that office was weakened, accepted a small fine of 50*l*. from Mr. Stuart for the office for life, and 20*s*. a year.

No mention has yet been made of the writ of *quo warranto*, under the pressure of which the Company surrendered their privileges to Charles II., and received a charter from him in 1675, and two charters from James II. in 1688.

Ans.

These charters were abolished and annulled by the Act of 2 Will. and Mary, s. 1. c. 8., which gave a parliamentary sanction to the status of the Company as it existed before the judgment on the Writ.‡ Mr. Beal seems to be pressed with this difficulty, and suggests that the words of the Act, "which they lawfully had "and enjoyed at the time of giving the said judgment" operate to exclude the Charters of the Companies, by which he asserts a right of search was given inconsistent with liberty of trade, and therefore contrary to Magna Charta, which granted to all cities and boroughs "all their liberties and free customs." Mr. Beal does not show how these liberties and free customs were interfered with by the means taken to prevent the sale of ill-made, spurious, or adulterated goods; but, even if he were right, the original Charter of the Grocers' Company, which contains no reference to trade, would, on Mr. Beal's own showing, stand unaffected and good with the direct sanction of an Act of Parliament.

In 1669, King William III. took upon himself the office of Master of the Company for the year, and made the Company a grant, which ceased at his death, of three fat bucks yearly out of Enfield Chase.

The last record of the indebtedness of the Company is in 1721. After this, the Company's affairs rapidly improved, and the public spirit and foresight of the members who, at the time of the Great Fire, and during the ensuing troubles and difficulties had, at great cost to themselves, maintained the Company's credit and preserved its hall and property, were ultimately rewarded by the Company's prosperity. In 1758, the finances of the Company admitted of the expense of the election feast being defrayed by the Company instead of by the wardens personally, and in the next year, the payment of quarterage by members was given up. By degrees the Company were enabled to increase their aid to indigent freemen, to administer their trusts with liberality, and to subscribe largely to objects of public interest and for the advancement of religion, education, and charity. In 1798, a sum of 1,000*l.* was given in aid of the assessed taxes.

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* In 1669 a petition was presented to Parliament which stated that the Company, being an ancient Corporation, had, in several ages, by the charity of well-disposed persons, been entrusted with divers lands, rents, and gifts, and by means thereof were charged with the maintenance of, and contributions to, several hospitals, almshouses, schools, provision for ministers, exhibitions to poor scholars in the University, and other good and charitable uses; that in 1642, when the kingdom of Ireland was greatly distressed by the rebellion newly risen there, the Company borrowed and advanced 9,000*l*. for the relief and defence of his Majesty's kingdom, and were in debt for that amount and the interest, only 645*l*. having been reimbursed, and prayed for leave to bring in a Bill to raise 20,000*l*. by an equal assessment upon the members of the Company of ability. The application to Parliament failed, and an effort was then made to raise the 20,000*l*. among the members. The terms of the petition seem to show that there was no idea at this time of any connexion with trade.

† "All being fully convinced that if the Hall should long continue under those circumstances not only all that had been done would be wholly fruitless, but all that remained (for which they were trustees to the generations to come) would soon waste into nothing, which would reproachfully render the present members most ungrateful to their ancestors, whose names still blossom in what remains of those pious monuments of their charities, and obnoxious to those who should succeed happy members of this Society." See "A Short Account of the Grocers' Company," by Wm. Ravenhill, 1689.

The minute is interesting, and certainly does not confirm Mr. Firth's statement that "it is a matter of common repute that the estates of "Companies are often leased to members at absurd rentals, enabling the "lucky lessees to make an excellent profit in re-letting them" ("Muni-"cipal London," p. 56). It is not known that this was ever done at Grocers' Hall. At the present time no member of the Company holds a lease under it. The minute referred to is as follows:—

"18th August, 1687.—To the end this Company may not be for ever kept low and poor, but may in due time be raised and restored to a capacity no tonly of discharging their trusts and engagements, and may thereby remove their reproach, but also may become, as they once were, a nursery of charities and seminary of good citizens, do order and decree, and be it ordered and decreed (so far as the power and authority of this court may extend), that from henceforth no new lease be granted, or any term of years added, to any term which shall be then in being, whilst there shall remain five years or more to come of any term then in being and unexpired, nor under less rent reserved thereupon than after the rate of 10*l*. per cent. per annum of the full improved yearly value thereof at the time of such demise, to be made without the consent of a court of assistants of the one full moiety or half of the number of the assistants that shall be then living, by subscribing their names do declare such their consent thereunto. And that from time to time when any part of the Company's revenue shall be so demised, or any such lease be granted, a short writing, purporting the thing so to be demised or granted, be put upon the front door of their hall in the yard by the space of one month before the wardens or any members do treat with any person in order so to demise or dispose thereof; and that intimation be mentioned in the tickets for summons of the assistants of the occasion of such court to dispose of such part of the Company's revenue, to the end the Company's revenue may hereafter be improved and applied and disposed of to the most and best advantage, in order to discharge their said just debts and charities, and answer their said great trusts. And for the more effectually observing of this order according to the true intent and meaning thereof, it is in like manner ordered that the same be publickly read over every year in the presence and hearing of the master, wardens, and assistants, and cloathing on the Anniversary Festival of Inauguration of their master and wardens after sermon and before dinner."

‡ The 14th section of the Act is as follows:—"And be it enacted by the authority aforesaid, that all and every of the several companies and corporations of the said city shall from henceforth stand and be incorporated by such name and names, and in such sort and manner as they respectively were at the time of the said judgment given; and every of them are hereby restored to all and every the lands, tenements, hereditaments, rights, titles, estates, liberties, powers, privileges, precedences, and immunities which they lawfully had, and enjoyed at the time of giving the said judgment; and that as well all surrenders as charters, letters patent and grants for new incorporating any of the said companies, or touching or concerning any of their liberties, privileges, or franchises, made or granted by the said late King James, or by the said King Charles II., since the giving of the said judgment, shall be void, and are hereby declared null and void to all intents and purposes whatsoever."

It is hoped that adequate proof has been given that the Company is not, and never has been, a craft-gild or trade-guild. It may be added that it is not known that any conveyance, devise, or gift was ever made to the Company for trade purposes or in connexion with trade, and that of the 37 separate gifts of money intrusted to the Company by various persons for the advancement in life of young men, freemen of the Company, two only refer in any way to the business or trade of a grocer. It remains to be shown that the Company is not a town-gild, *i.e.*, not a municipal corporation or a part of the Corporation of London.

A municipal corporation, according to Blackstone, is "a lay corporation created for the good government of "a town or particular district." Some kind of territorial jurisdiction is essential to the idea of a municipal corporation.[*]

It has always been distinctive of the City gilds that they had no territorial jurisdiction, and that residence was no qualification for membership.

On this subject some very erroneous views seem to have been placed before the Commission.

Mr. Hare says the Companies undoubtedly at present form part of the Municipal Corporation of the City of London, and he gives as his reason that the Companies form what is called the commonalty, the common hall. Mr. Firth assumes that the Companies are an integral part of the Corporation of London, and states that the Municipal Commission of 1833 considered the Companies within the province of their Commission. Mr. Beal says every Lord Mayor since 1189 (the beginning of legal memory) has been a member of a gild, and would not have been eligible for the office if he had not been a member of a gild; also, that the Corporation address the Crown in three distinct ways:—by the Lord Mayor and aldermen in their inner chamber; by the mayor, aldermen, and council in common council; and by the mayor, aldermen, and livery in the common hall; and that the Lord Mayor of his own authority may legally call a common hall. Mr. Phillips considers that the Companies are part of the Corporation, because they exercise municipal functions.

There appears to be a general confusion in the minds of these witnesses between the Companies as corporate bodies and the individual liverymen. A livery company, as such, forms no part of the Corporation. It is not subject to the jurisdiction, and it has no voice in the management of the Corporation. It consists of two classes, liverymen and freemen, the latter being the more numerous body, and the liverymen individually, if they are also freemen of the City, are members of the commonalty or common hall; in other words, the common hall consists of such freemen of the City as have the status of liverymen.

If Mr. Firth is right in saying that the Municipal Commission of 1833 considered the Livery Companies within the province of their Commission, the result (as stated by Mr. Beal) showed that the opinion of that Commission was wrong, for the Companies were advised to resist by the most eminent lawyers of the day, and they resisted successfully. Mr. Phillips admits that he knows of no case in the last 200 years in which the Corporation has interfered with the property of the Companies.

It is to be observed that not only is there the widest possible difference between the Companies as such, and the individual liverymen, being members of the Corporation of London, but the liverymen are only members, if at all, in an extremely limited sense. When we speak of the citizens or burgesses of a city or borough being members of the corporation, we mean that they are electors of the governing body, the town council, and themselves eligible for election. But in the case of the Corporation of London, liverymen, as such, are not electors of the governing body, the court of aldermen and common council, and they are not, as liverymen, eligible for election as aldermen or common councillors.

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The election of Lord Mayor by the livery in common hall is a curious survival of ancient custom, but the importance of its bearing on the present question has been much exaggerated. The Lord Mayor is elected from the aldermen who have served as sheriffs.[†] The aldermen are elected by the same electoral body which forms the constituency of the common councillors; the qualification being either 10*l.* occupation, household suffrage, or lodger franchise.[‡] A liveryman has no vote for the election of aldermen. Consequently the common hall or livery can only select out of the 26 nominees of a different constituency, and out of the 26 they must select two, between whom the court of aldermen decides. The election of Lord Mayor is obviously little more than a mere form. The two senior aldermen below the chair are always selected by the common hall, and the senior of the two is usually chosen by the court of aldermen. The livery have hardly any more real choice than a Dean and Chapter in the case of a *congé d'élire.*

Another argument adduced is that there are instances of the Lord Mayor, aldermen, and liverymen, in common hall assembled, approaching the Throne. Upon this point Mr. Firth asks Mr. Beal:—

"Have you read the address presented on behalf of the Lord Mayor and the Livery Companies in common hall assembled in 1775, in respect to an answer of the King?"—"Yes, in the reign of King George III." Q. 821.

"With respect to what the rights of liverymen were?"—"Yes; and I think it very important that that should be read, because it sets out in the strongest possible form that they are, and they claim to be, an integral part of the Corporation." Q. 822.

Then Mr. Firth reads the extract, which concludes with the opinion of Mr. Wedderburn, Mr. Glynn, and other learned counsel, as follows:—

"We apprehend that the head officer of every Corporation may convene the body, or any class of it, whenever he thinks proper; that the Lord Mayor for the time being may, of his own authority, legally call a common hall, and we see no legal objection to his calling the two last; we conceive it to be the duty of the proper officers of the several Companies, to whom precepts for the purpose of summoning their respective liveries have been usually directed, to execute those precepts; and that a wilful refusal on their part is an offence punishable by disfranchisement?—That is the extract." Q. 823.

"I will leave that branch, as to the action of the City, and ask you one further question. Have you read the decision in the case of the refractory Companies in 1775, when between the Corporation and the Goldsmiths' Company the question was contested?"—"Yes." Q. 824.

"What was the effect of that decision?"—"The Companies were found to be in the wrong, and that they were an integral part of the Corporation, and it is fully set out in your own book, 'Municipal London,' pp. ." Q. 825.

Nothing can be more circumstantial, or apparently correct; and this evidence, cleverly led up to, probably had some effect on the minds of the Commissioners. But, like several other facts stated by Mr. Beal, it will not bear investigation. The decision on which he relies was the decision of Mr. Recorder Glynn, one of the counsel who had signed the opinion, and the decision was unanimously reversed, on appeal, by Lord Chief Justice De Grey and four other judges. The so-called refractory Companies, who opposed Lord Mayor Wilkes's impudent proceedings, were the Grocers, the Goldsmiths, and the Weavers. The history is given fully in Baron Heath's "History of the Grocers' Company," pp. 162–170, 3rd ed. The papers are in the possession of the Goldsmiths' Company.

It may be added that freedom of a City Company does not involve freedom of the City, which must be taken up separately by a distinct act; also that the freedom of the City may be acquired by a person not free of any Company, nor under obligation to become so.

PART III.—THE PRESENT ADMINISTRATION OF THE COMPANY.

The foregoing sketch of the history of the Grocers' Company may be summarised as follows:—The Company was founded, in the middle of the 14th century,

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[*] The preamble of the Municipal Corporations Act of 1835 is, "whereas "divers bodies corporate at sundry times have been constituted within "the cities, towns, and boroughs of England and Wales, to the intent "that the same might for ever be and remain well and quietly "governed." So the definition of Municipal Corporation in the Municipal Corporations' Act of 1882 is "the body corporate constituted by "the incorporation of the inhabitants of a city or town to which the "Act applies."

[†] "Municipal London," p. 29.

[‡] Ib. p. 32.

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by some of the leading merchants and traders of London, as a social, benevolent, and religious fraternity, and this character, except as regards the religious observances of the brotherhood, has been maintained from the first meeting, 538 years ago, to the present day; the continuity of the fellowship never having been broken even in the most troublous times. The hall and garden of the Company occupy the original site purchased by free contributions of the members between 1411 and 1433. The Company rapidly gained importance after its foundation, and before the end of the century was the most powerful body in the City, and became entrusted with the public duties of weighing and garbelling, which it retained for about 250 years. During the same period the Company contributed largely to political and municipal objects, by loans to the King or Parliament, by taking part in the colonisation of Ulster, by supporting the poor, and aiding in the defence of the City. But though the commercial and municipal eminence of various members exercised an influence on the conduct and proceedings of the Company from time to time during its long history, the primary and essential principles of the gild, as a social, benevolent, and religious body, were always paramount. The increase and independence of trade towards the end of the 17th century deprived the Company, weakened as it was by its losses in the Great Fire, of its public duties of weighing and garbelling, and of its power of trade superintendence; but the members of the Court, who came forward in the Company's great distress, and saved it from extinction by their personal exertions and liberality, went back to the fundamental principles of the gild, when they left a solemn record of their intention that the Company should again *become, as it once was, a nursery of charities and seminary of good citizens.*

It remains now to show how the original purposes of the gild, as embodied in the ordinances of 1345 and 1376, and the intentions of the second founders of the Company (for such they deserve to be called), as solemnly recorded in 1687, are now understood and carried out.

The religious element of the gild is observed in the Company's support of the National Church. The Company are patrons, wholly or partly, of eight livings of no great value, and, as patrons, they subscribe with well-considered liberality to proper parochial objects. Four of these livings have been purchased under the trusts of Lady Slaneys' will. The Company regard their livings less as a matter of private patronage than as a trust. In this spirit, when the living of All Hallows Staining, the only valuable living which the Company ever possessed, with an income of 1,600*l.* and a population reduced by changes in the City to 200, fell vacant in 1866, the Company applied for and obtained an Estate Act, under the powers of which the living has been united to a neighbouring benefice, the sites of the church and the curate's house sold, and the proceeds applied in building and endowing two district churches in the poorest parts of the east of London; and a third church will in due time be added. The Company have aided the work by an expenditure out of their funds of nearly 7,000*l.* on parsonage houses, parish rooms, organs, &c. They also contribute towards the support of curates and church expenses.

The Company have also subscribed largely to the funds of the Bishops of London, Winchester, and Rochester, with a special view to benefiting the poor of the Metropolis; and to the Irish Church Sustentation Fund.

The social element of the ancient gild is preserved in the hospitality of the Company. This is extended freely to public men, to illustrious foreigners, successful administrators, admirals, and generals; to dignitaries of the Church, and to men eminent in the law, medicine, literature, art, and science. The honorary freedom of the Company is, it is believed, highly valued. A most distinguished French officer is reported to have said of it on an important public occasion, that he had during his life gained very many honours and distinctions, but he valued none more than being the member of a society which had existed on the same lines for upwards of 500 years, and that he earnestly desired for his own country that such institutions were possible there.

The third object of the ancient gild is benevolence, or charity; under this head is included education.

The Company manage Sir W. Laxton's School at Oundle, a first grade school of considerable importance, schools at Witney and Colwall, and a large middle class day school at Hackney Downs. The Company give a considerable sum every year in exhibitions to the Universities, with special exhibitions to unattached students. In all cases the candidates are carefully selected on the three grounds of good character, poverty, and school or college distinctions. The Company give to their poor members about 4,000*l.* a year, to London hospitals about 2,000*l.*, to clergymen's widows about 750*l.*, to orphan asylums about 1,000*l.*, to boys' homes, ragged schools, &c., 250*l.*, to London police court poor boxes, 300*l.*, to Mansion House funds, 300*l.*, to benevolent and poor relief societies, 700*l.* All the charities and charitable gifts are personally managed or personally inquired into by members of the court.

Mr. Firth could, it is hoped, have known but little or nothing of the proceedings of the Company when he wrote of the members:* "The stewardship of a few "charities and of many dinners is responsibility suffi- "cient for them." But Mr. Beal makes an even more offensive imputation against the Company with reference to the London Hospital. To this hospital, the largest in London, and situate among the dense and generally poor population of Whitechapel and Bethnal Green, the Company in 1873 gave 20,000*l.* for the erection of a new wing, and in 1876, 5,000*l.* to furnish it. The Company has since made an annual gift of 500*l.* and appointed two members of the court to serve on the house committee.

Mr. Beal states that the gift of 25,000*l.* for the London Hospital was made after his agitation began, "Why did "they not give 25,000*l.* to the London Hospital before "we began our agitation?" Clearly implying that the gift was made under the influence of the agitation.

It is confidently believed that at the time when the gift was made no member of the court had ever heard of Mr. Beal's agitation. The gift of 20,000*l.* was made in 1873. The City Guilds' Inquiry Society was, it is believed, formed in 1876, with Mr. Danby Seymour as Chairman, and Mr. J. B. F. Firth as counsel. Mr. Firth's book, "Municipal London," was published the same year.

The Company's first grant to the London Hospital was made as long ago as 1796, and numerous gifts were made between that year and 1873. When the grant of 20,000*l.* was proposed in 1873, 12 or 14 members of the court of the Company were also governors of the hospital. The member who proposed the grant was also on the house committee of the hospital, and was intimately acquainted with its wants, and has himself given 17,000*l.* to it. Another member of the court has given 9,000*l.* The proposal that the Company should build a new wing had been mooted eight or ten years before 1873.

These facts speak for themselves. The Grocers' Company deeply regret that they are compelled, by the unscrupulous imputations which have been directed against the Company, to mention such matters at all to the Commissioners.

The Commissioners are probably aware that the Company has given large sums for the promotion of technical education. The Company has also directed its attention to the desirability of encouraging original research in sanitary science. After consultation with some of the most eminent scientific men of the day, a scheme has just been matured for founding scholarships of 250*l.* a year each for the encouragement of research in sanitary science, and a quadrennial discovery prize of 1,000*l.* This is a form of endowment novel in character, which it is hoped may prove eminently useful in solving some of the sanitary questions arising from the dense aggregation of population in our great towns.

The Company find nothing in the official evidence from the Charity Commission, so far as it relates to matters within the jurisdiction of that Commission, to call for remark, except the unintentional omission to notice the Company's Middle Class School Scheme as already mentioned. That evidence appears to express general satisfaction with the management of charities by the City Companies.

The evidence as to the corporate property of the Companies is almost confined to the small knot of agitators who formed the City Guilds' Inquiry Society. The facts alleged by these gentlemen against the Grocers' Company have, it is confidently submitted, been completely disproved, and the theories propounded by them seem to have little or no basis of facts, and are inconsistent with each other. Sometimes it is said that the City Companies are municipal corporations, and that their corporate property is applicable to municipal purposes. At other times it is said that they are trade gilds, and that their property is applicable to trade purposes. Such arguments confute each other.

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* "Municipal London," p. 58.

It is proposed to conclude with Mr. Firth's summary, in nine propositions, of his case against the City Gilds,* with the reply of the Grocers' Company in each instance:—

1. "The London Livery Companies are an integral part of the Corporation."

This has been already disproved in an earlier part of this statement.

2. "The property of the Companies is public trust property, and much of it is available for municipal purposes."

The Commissioners will form their judgment on this point, so far as the Grocers' Company is concerned, from this statement and the Company's returns. The Lord Chancellor has recorded his opinion against Mr. Firth's view; Lord Langdale judicially declared the Company's property to be private property. In the very numerous cases in which the Attorney-General has proceeded by information against City Companies with respect to charities, it has, it is believed, invariably been assumed by judges and counsel alike that the question was one between the Company, as private owners, and the charity. Mr. Firth's suggestion of a public trust is inconsistent with the history of more than five centuries.

3. "The Companies are trustees of vast estates of which London tradesmen and artisans ought to be the beneficiaries, but such trusts are disregarded."

The Grocers' Company are unaware of the existence of any such trust. It would be difficult to reconcile such a trust with the previous propositions laid down by Mr. Firth.

4. "The Companies are also trustees of estates applicable to charitable uses; they fail to apply to such uses the whole of the funds fairly applicable to them."

The Grocers' Company discharge strictly all their legal trusts, and, as has been shown, supplement them very largely from their corporate funds. In some cases, such as Oundle School and University exhibitions, they expend on the objects of the charity more than ten times the amount of the legal obligation; and even when the charity has legally ceased to exist, as in the case of Lady Middleton's gift for poor clergymen's widows, they perpetuate the name and wishes of the founder by the application of their corporate funds to a much larger amount than the founder contemplated.

5. "The Companies were incorporated to benefit trade, to train artisans, and to repress bad workmanship; they perform none of these functions."

The Grocers' Company was not incorporated for any such purpose. Their charter of incorporation was unconditional.

Deputation from Grocers' Company.

6. "The Companies are, by charter, to be composed of members of a given trade in many cases, and are legally compellable to admit members of it. They admit members irrespective of trade, and impose restrictions on those who are admissible."

This is inapplicable to the Grocers' Company, which was never a trade gild.

7. "The Companies are subject to the control of the Corporation, but as the members of that body are members of the Companies also, and are promoted in the latter concurrently with their advancement in the former, such control is never enforced."

The Companies are not subject to the control of the Corporation. When the matter was brought to an issue between the Companies of Grocers, Goldsmiths, and Weavers on the one hand, and the Corporation on the other hand, in 1773, the Corporation signally failed. The Grocers' Company know nothing about the advancement of members here suggested by Mr. Firth. No member of the Company has filled the civic chair for nearly a century. That the control of the Corporation is never enforced is true, for it is reasonably supposed to have no legal basis.

8. "The Companies are subject to the control of the Crown, and their lands and monopolous privileges were only granted on condition they performed certain duties; they have ceased to perform the duties, but they continue to hold the lands."

The Grocers' Company are not aware of any grant having been made to the Company on condition that they performed certain duties, except in the case of charges on lands devised, which are always punctually paid. As to the control of the Crown, the Company are not aware that they are in a different position to any other of Her Majesty's subjects.

9. "The continuance of a large amount of land in the heart of the City and in the north of Ireland in the hands of corporate and unproductive bodies is a hindrance to commerce and a loss to the public revenue."

It may be a fair question for consideration whether the Company should pay a composition equivalent to succession duty on their corporate property. They have never been called upon to do so. The Company some years ago sold their Irish estate, and the tenants, it is believed, regret the change. Mr. Hare, in his evidence, does not agree with Mr. Firth as to the inexpediency of land being held by corporate bodies. The abolition of "unproductive" landowners is a question extending far beyond the City Gilds. Ans. 118-121.

Grocers' Hall,
February, 19th, 1883.

The deputation withdrew.

Adjourned to Wednesday next, at 4 o'clock.

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* "Municipal London, p. 635.

FIFTEENTH DAY.

Wednesday, 28th February 1883.

PRESENT:

THE RIGHT HONOURABLE LORD COLERIDGE, IN THE CHAIR.

HIS GRACE THE DUKE OF BEDFORD, K.G.
THE RIGHT HON. VISCOUNT SHERBROOKE.
SIR SYDNEY H. WATERLOW, M.P.
MR. ALDERMAN COTTON, M.P.
MR. WALTER H. JAMES, M.P.
MR. PELL, M.P.
MR. J. F. B. FIRTH, M.P
MR. THOMAS BURT, M.P.
MR. H. D. WARR, *Secretary.*

Deputation from Grocers' Company.

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The following gentlemen again attended as a deputation from the Grocers' Company:—

Mr. J. H. Warner, a member of the Court, and Mr. W. Ruck, the clerk.

2184. (*Chairman to Mr. Warner.*) I believe we have all read your paper with care. I do not desire to contest questions with you, but merely to draw out, as far as I can, your own views. If I understand rightly, your view is that except as regards a very small proportion of the property of the Company they are under no legal obligation to dispose of it in any particular way?—Yes, I should say that is the case. Of course, I should admit a moral obligation.

2185. Yes, but we are all under moral obligations. —We are.

2186. But you would not admit, if I understand you rightly, that there is more moral obligation on the part of the Company than on the part of any large possessor of income to dispose of it in any particular way?—I think a little more than that. I think we must look to the original constitution of the Company, which was that of a benevolent, religious, and social fraternity. The objects of that constitution still remain, and, I imagine, still have to be observed in the disposition of the property.

2187. When you say that, do you mean that the Company could be compelled to observe them, or that, merely a matter of good feeling, they would observe them?—That is a very difficult question to answer. It is possible, I think, that the members of the Company might have some sort of right to enforce them, but I do not think there can be any other right except as between members of the Company.

2188. You say that there is no external obligation? —No external obligation.

2189. I daresay I have misunderstood it, but speaking broadly the revenue of the Company is about 40,000*l.* a year, is that so?—About that.

2190. And the extent to which you consider there is any legal obligation is about 500*l.*?—Yes, about 500*l.*; I do not think quite so much, if we exclude the fixed payments of 315*l.* a year mentioned in the statement.

2191. I put it roughly. I only speak in round numbers.—Quite so.

2192. You are aware, I daresay, or I will ask you whether you are aware that that is a claim that is very much in excess of that made by any other particular Company?—I believe we stand quite alone in that respect. Of course the Commission is aware that the Company has got rid of very many of their trusts by the middle class schools scheme under the Endowed Schools Act.

2193. As I understand, your view is that the Company received land originally with some trusts attached to it?—In some cases; in others it was an absolute devise and gift to the Company with no trust at all.

2194. But at all events in some cases with a trust attached to it?—I should rather say with conditions to be performed.

2195. That then that property, or large portions of it at all events, was parted with and regained by the Company without the conditions; is not that your view?—That would apply to the particular portion of the Company's property which was regained by the Company, and the re-acquirement confirmed by the Act of James I.

2196. I mean your view is that portions of the property of the Company are held by them free from any conditions at all from the beginning?—Yes.

2197. And that considerable portions, though saddled originally with conditions, have now become, by the events that have taken place, free from those conditions in the hands of the Company?—The conditions that have been got rid of in that way were connected with trusts which have been appropriated by the middle class schools scheme or else with superstitious uses. I think there are no others.

2198. Do not I understand from the paper you have handed in that there was a getting back of some considerable portion of the property from, I think, Edward VI.?—That applied to so much of the Company's property as was devised for or in connexion with superstitious uses.

2199. That was parted with, and then got back from Edward VI. free from those uses; is that so? —I think it was not parted with. It became the property of the Crown under an Act of Henry VIII. and was afterwards regained by the Company.

2200. Parted with, I mean by that lost to the Company?—Lost to the Company.

2201. And that it was then re-annexed to the Company free from the uses that had theretofore attached to it?—On payment to the Crown.

2202. And on that ground you say it is the private property of the Company?—Yes.

2203. I understand you also to say that the Company, and I suppose you would say other companies too, but I confine you to your own, has nothing to do with the Corporation of London, and is no part of the Corporation of London?—Certainly it is no part of the Corporation of London. That was decided by Lord Chief Justice de Grey in Plumbe's case.

2204. That is your view?—Yes.

2205. The members and Livery of the Companies as such form part, do they not, of the Corporation?— I should say not. The livery form part of a particular branch of the Corporation, the Common Hall, but only for very limited and special purposes.

2206. But the Common Hall is a body, is it not, which elects the Lord Mayor?—It elects the Lord Mayor from among the aldermen.

2207. It elects him as the head of the Corporation? —Or rather it is a body which recommends to the Court of Aldermen two members, and the Court of Aldermen chooses one of the two as Lord Mayor.

2208. I will put it as low as possible, for I do not want to dispute with you but merely to draw out your view. It performs some function in connexion with the Lord Mayor, does it not?—Yes, I should say a ceremonial function.

2209. It may be so now, but at one time, I presume, it was a real election. Is it so entirely ceremonial now?—Have there not been instances of aldermen

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being passed over within recent times?—That I cannot answer of my own knowledge. If there has been any such case I should think it was only by arrangement.

2210. Arrangement with the Common Hall do you mean? However, it is enough to say that they do still perform a function now (you may call it ceremonial, I will not dispute with you) which is essential to the election of the Lord Mayor?—Yes.

2211. And they perform that function as a portion (however unimportant you may regard it) of the Corporation, do they not?—That is, the livery perform it.

2212. The livery perform it?—The livery is only part of the Company.

2213. My question was intended to be accurate. The members of the Company as such perform a function (which, if you please, you may call now ceremonial) in relation to the head of the Corporation of London, do they not?—Yes, if your Lordship would allow me to say "some of the members of the Company as such."

2214. Well, the livery as such?—Just so: One class of members of the Company.

2215. Do you think that that which has now become (I adopt your own phrase for I do not want to dispute) ceremonial, was in former times entirely ceremonial?—I really have not information enough to answer that.

2216. You know history—nobody knows it better—what do you say to that?—Do you think the Common Hall was always a mere ceremonial institution?—I should think we must go back some 200 years.

2217. Be it so, but you do not doubt, I suppose, that some considerable time ago the Common Hall was performing an important function in the municipal system of the City of London, do you?—I think the importance of the function must always have been very much limited from the fact of the members from whom they could elect being previously limited in number.

2218. We know what the function was. We need not dispute about it. By what process is it your view that the livery of the Grocers' Company became part of the Common Hall—was it by Royal Charter?—Not that I am aware of.

2219. How do you suppose?—Some 500 years ago the livery, or rather the Companies, became the governing power of the City of London.

2220. You could not, I suppose, question that the existence of the Companies as corporate bodies depends upon charter?—There are authorities to the contrary. The learned authors of "English Gilds" hold that English Gilds were not established by Charter at all, and that a charter was unnecessary to their incorporation.

2221. I do not at all wish to dispute, as I have said all along; but how can a Corporation exist except by charter?—There is no question that by the civil law no charter or Act of the Sovereign was necessary to constitute a Corporation.

2222. When did the civil law obtain in England?—It would be difficult to say when the common law began.

2223. Very difficult I should think, but since there has been common law in England, by what mode only can a Corporation exist?—The passage which I was about to read—

2224. Never mind about the passage:—They can only exist by prescription.

2225. Does not prescription always imply a charter?—It implies a charter no doubt.

2226. You might have said so. They may have been created by charter. Is it your view that a body created by charter (I do not wish to dispute, I merely wish to get your view) is in exactly the same position as to its existence, and as to its property as a private individual?—I believe that there is no doubt that a Corporation, *quâ* Corporation, can hold land exactly as a private individual.

2227. I am not doubting that at all?—But of course that must be subject to the terms of the charter.

2228. Is there not in this charter, as well as in all others, certain terms upon which the charter is granted; I will not say terms upon which it is granted, but conditions which are imposed upon the Corporation at the time of its creation?—I think that in the case of the charter of the Grocers' Company, the incorporation of the Company is not accompanied by or subject to any conditions.

2229. I have got before me an extract from the charter of Henry VI., which states that the King grants "That the wardens and commonalty of the said "mystery may acquire lands, tenements, and rents," and so on, of a certain value, "to have and to hold "to them and their successors for ever towards "the support as well of the poor men of the said "commonalty as of a chaplain to perform Divine "Service daily for our condition while we live and "for our soul when we are dead, and also for the "condition and souls of all persons of the said mystery "and commonalty, and of all the faithful deceased "according to the order," and so on. You are aware that at that time the grant of the Crown to hold in mortmain was necessary, was it not?—Yes, no doubt.

2230. You will correct me, if I am wrong, but it would seem that the license to hold in mortmain was, at all events, if not made subject to these conditions, accompanied with these conditions?—I think it was originally. But when the Act of Henry VIII. made the superstitious uses absolutely void, the courts of law held that as the amount of rent given for the support of the poor of the Company could not be distinguished from the amount given to superstitious uses, the whole was forfeited to the Crown. Then, under the Act of James I., the whole was re-acquired by the Company with a Parliamentary title for good consideration.

2231. Then since that it has been the private property of the Company, you say?—Yes.

2232. Your position, as I understand it is, that their being a portion of the Common Hall does not make them at all a part of the municipality of London; that the superstitious uses having come to an end they are discharged from all trusts upon lands that were held for such purposes; and that except to the extent of 500*l*. a year, the property of the Company is absolutely private property, subject to no control except that which the good feeling of the members of the Company may impose?—Subject to the moral obligation which has always been held to apply to it for 500 years or more.

2233. You mean that the administration of the funds has been good for that time?—Yes, and I think upon the original lines of the foundation.

2234. What do you say the original lines of the foundation were?—I should say those of a religious, benevolent, and social fraternity.

2235. Do you mean that there is an obligation to administer the property for religious, social, and benevolent objects?—I should say there is, undoubtedly, a moral obligation; whether it is an obligation which could be enforced in a court of law or not I am not prepared to say.

2236. But, as I understand, in your view there is no legal objection to the Company meeting and dividing their lands and property to-morrow except to the extent of 500*l*. a year?—There may be no legal objection possibly, but such a thing I should regard as impossible. When I say there is no legal objection, I will add that under the Reform Act there may be some sort of inchoate right in the sons of the freemen of the Company to become freemen and liverymen, with a right to vote, and that might possibly prevent the Company being put an end to legally.

2237. (*Viscount Sherbrooke.*) Granting, for the sake of argument, that you have these things by Act of Parliament, and that you have a right to them, do I understand you to contend that under no circumstances whatever Parliament might alter or do away with that which it has originally given?—Parliament is omnipotent.

2238. So I thought. Then I do not exactly understand the force of this insisting so much upon law, if, after all, there is something above the law that can

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alter it. I do not see exactly what the bearing of it is?—I understood Lord Coleridge to be asking me questions as to the legal position of the Company's property.

2239. Just so. I mean to say this, that there is a great deal said about law, but, after all, has not Parliament repeatedly taken away again things which were given by law; has it not been constantly done in this country, and, therefore, is not the question rather whether it is desirable or expedient to do it than whether there is a law to do it?—I was only answering questions put to me.

2240. (*Sir Sydney Waterlow.*) I should like to ask you upon which charter you consider the Company now rests, and which charter guides or properly influences its course of action. Four charters are set out in the return you have made. Do you consider the last as most operative, or is there any other?—I think the larger portion of the last charter was operative.

2241. (*Mr. Firth.*) The charter of William the Third, do you mean?—The charter of William the Third. The whole of that charter is not operative. It is impossible that the Crown could without authority from Parliament compel persons to become members of the Company.

2242. (*Sir Sydney Waterlow.*) I will put it in this way, so far as the last charter is operative in the present state of the law do you consider that that is the charter which should control and bind the action of the Company?—I consider that all the charters must be read together. The last charter confirms the first, and makes that charter of the same value and importance as the last.

2243. Then reading all the charters together which have not been repealed or which have not been annulled by any law of the land, may they all be taken as indicating the purposes and objects of the Company now?—I should say the original purposes were indicated by the first charter, the charter of incorporation; certain purposes may have been to some extent superadded afterwards by later charters.

2244. You do not think it right that the Company should rest upon that part of the latest charter which is still operative, that is to say, not at variance with the law of the land?—So far as the last charter and the first agree, the Company would rest upon the two.

2245. Now may I call your attention to the first charter, No. 1 of Henry the Sixth, 1428, on page 3 of the first return, "By this charter the Company "became a body politic by the name of '*Custodes et* "'*communitas mysterii Groceriæ Londini*'"; does not that point to its being a Grocers' Company; that is to say, a Company having a trade and a craft. Does not the word "*mysterii*" mean craft?—I think it is a larger word than craft.

2246. But it includes craft?—It includes craft.

2247. The next charter of 1447 you say does not affect the constitution of the Company, but grants certain rights of garbelling to the wardens?—Yes.

2248. Is not garbelling a trade action?—It is a trade action, undoubtedly; it is superintendence of trade.

2249. That is all you say about that in your return. Then does not the third charter contain these words, "It incorporates the freemen of the Mysteries of "Grocers and Apothecaries of the City of London by "the name of the wardens and commonalty of the "Mystery of Grocers of the City of London, or (in "one instance, possibly by error) the wardens and "commonalty of the Mysteries of Grocers." Does not the word "mystery" twice repeated imply that it was a trade society?—No, I think not.

2250. Does it not imply that it was a society having a particular craft?—No, I think not. I think the word "mystery" includes craft, but is not synonymous with it.

2251. Would you please explain what you think to be the distinction between the old word "mystery" and the word "craft"?—I think "craft" probably means something like a handicraft, and would properly apply to trade gilds; "mystery" would apply to all gilds.

*2252. To bring you to modern times, do you know the City indenture which is not in use, I believe, in all, but certainly in some, of the halls of the companies. Does it not contain these words, "You shall "teach the said (stating the name of the boy apprenticed) the art and mystery" of whatever it may be?—I do not know. I should be quite willing to take your account of it; I am not acquainted with it.

2253. There the word is used as indicating the trade, is it not?—I think the word has changed its meaning very much.

2254. At the present time it conveys the word "trade," does it not?—Apparently.

2255. Now we come to charter No. 4, dated 1640, "The wardens and commonalty of the mystery of the "Grocers of the City of London are incorporated and "empowered to take and hold lands." Does not the word "mystery" govern that sentence and the word "Grocers"?—I do not know that there the word "mystery" means anything more than the wardens and commonalty of the body of Grocers. It was the common word used at that time for all corporations in the nature of gilds.

2256. May I still take it from you that, in your opinion, it did not really at that time mean the craft of the grocers?—I think it certainly did not mean the craft, because we know there were members of the Grocers' Company then who had nothing to do with the craft.

2257. Now I take the charter No. 5 of William and Mary, dated 1690. "Upon the petition of the war-"dens and commonalty of the mystery of Grocers, "and for the good government of that society, it is "declared that all persons who now exercise, or who "shall ever hereafter exercise the mystery or art of "Grocers, and the several arts or mysteries of con-"fectioners, druggists, tobacconists, tobacco cutters, "and sugar bakers, or refiners of sugar in the City, "or within three miles round it, are, and shall be, "part of the body corporate and politick of the afore-"said wardens and commonalty of the mystery of "Grocers of the City of London." Now, looking at the manner in which the word "mystery" is used in connexion with all those trades, does it not seem to you that at the time that sentence was written the word "mystery" implied trade uses?—In connexion with the words "or art," I think it undoubtedly does mean "mystery or art of Grocers."

2258. "The mystery or art of Grocers, and the "several arts or mysteries of confectioners, druggists, "tobacconists, tobacco cutters," &c. That is the last charter you recite, is it not?—Yes.

2259. Does not that strictly imply that the petitioners, the wardens and commonalty to whom the charter is granted, apply for it for trade purposes, and direct that all persons in the trade shall be mem-

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[*] This and the subsequent questions and answers marked with an asterisk (2268 to 2282 and 2560 to 2563) were founded on a misapprehension. Sir Sydney Waterlow assumed (*see* Questions 2270, 2277, 2278, &c.) that the apprenticeship indenture used by the Grocers' Company contains a covenant by the master to teach the apprentice "the art and mystery of a Grocer," or "the art and mystery of the trade of a Grocer," and the witness not having a copy of the indenture to refer to assented to the Commissioner's statement. But this is not correct. The indenture witnesses that "*A.B.*, the son of *C.D.*, "doth put himself apprentice to *E.F.*, Citizen and Grocer of "London, to learn his Art; and with him (after the manner of "an Apprentice) to serve, &c. . . . . And the said "Master his said Apprentice, in the same Art and Mystery "which he useth, by the best means that he can shall teach "and instruct, or cause to be taught or instructed, finding unto "his said Apprentice, Meat, Drink, Apparel, &c. . . . ."

On inquiry at the City Chamberlain's Office, I am informed that "Citizen and Grocer of London" is understood to mean grocer by gild and not by trade, and it is evident that the master undertakes to teach the apprentice the "art and mystery" which he (the master) useth, not the art and mystery of a grocer or of a grocer's trade. I am further informed that the same form of indenture is used by all the City gilds, mercer, draper, &c. being substituted for grocer, and that it is at least 200 years old.—J. H. W.

bers of their company?—Yes; but it is equally clear, I think, that it was *ultra vires* of the Crown to grant anything of the kind.

2260. Is it *ultra vires* now for an association of persons to combine themselves together and say we will not have anybody but grocers, or any other particular business; may they do that now?—Undoubtedly they may.

2261. And might they not have done it then?—Yes, but the Crown had no power to compel other people to join their body.

2262. But you may make it the rule of the society that only certain persons shall belong to your society; is it not the custom now-a-days to make it a rule of clubs that only certain persons holding certain opinions shall belong to certain clubs, and this is a rule that only persons in a certain trade or company should belong to a particular craft?—That was not so. Freedom by patrimony was introduced into the Company so long ago as 1460.

2263. Did not the Company accept that charter; they were the petitioners for it?—Yes, but they never enforced it; in fact there is an entry in the minutes of the court at the time pointing out that they never regarded it as a compulsory power at all.

2264. Yet they ask the Crown to confine their Company to persons of the mystery of the trades set out in the charter?—I think not to confine it; I do not think there are any words confining it.

2265. They petition for a charter in these words and they get it?—They petition that everybody exercising that particular craft or art shall be made a member of the Company, but not that the Company shall consist only of persons exercising the particular craft or art.

2266. Will you turn to the third line of page 11 of the statement which you read the other day. "The "Ordinances of the Grocers' Company of 1376 expressly ordain that no one of any other mistery "shall be admitted into the Company without the "common assent, and should pay for his entry 10*l*." Does not that imply that it is the mystery of Grocers, but that other persons may be admitted by consent upon payment to a fund to which those who belong to the trade are not subject?—That is to say, that it was not from its beginning an exclusive mistery.

2267. Those in the trade were members, I presume, and those who paid their fine were honorary members?—I do not think there is any trace whatever at any part of the history of the Grocers' Company that a member of the trade could as such become a member of the Company, or that the Company was confined to members of the trade.

*2268. I will pass from that point. Are apprentices bound at your hall now?—They are.

*2269. Are they bound under the City indenture the same as the apprentices of other Livery Companies?—Mr. Ruck tells me that they are, according to the usual form; I suppose it is the City form.

*2270. Mr. Ruck will help you probably in answering this question. Is there not a covenant in that indenture, first that the apprentice shall be taught the art and mystery of grocers, and is there not another covenant that the master shall provide board and lodging for the apprentice in sickness and in health, and that he shall see that he does not play at dice and other things?—And not marry without leave I think.

*2271. As a matter of fact are the lads so apprenticed at your hall apprenticed to persons who are grocers?—No, certainly not; not grocers by trade.

*2272. Then how do they perform the covenant as to teaching the boy who is apprenticed in the face of your court, the elders of your Company, the art and mystery of a grocer?—I should say that the art and mystery of a grocer in those indentures means the art and mystery of the original Company; that is to say the religious, social, and benevolent objects.

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*2273. Then do I understand you to say that this apprentice is not a trade apprentice at all?—Not in these days certainly. I do not know that he ever was.

*2274. Then for what object and purpose is he apprenticed at the hall?—In order to keep up the body.

*2275. But the body may be kept up, may it not, by redemption and patrimony?—Not by redemption; we have no redemption.

*2276. By patrimony?—Yes; by patrimony.

*2277. Then do I understand you to say that, in order to keep up the body, persons who are not grocers take boys and undertake to teach them the art and mystery of the trade of a grocer, and yet do not intend to do anything of the kind?—It is the "art and mystery," is it not?

*2278. Yes, those are the words, "art and mystery of a grocer"?—I do not think it is the "trade."

*2279. But there is no intention to teach them the art and mystery of a grocer is there?—To make him a good member of the Company is to teach him the art and mystery.

*2280. You say the Company is not a grocers' Company; how is the boy to learn the art and mystery of a grocer? Now may I ask you whether you do not think that that part of the duties of the Livery Companies, which are not now trading companies, had better be given up, and that they should not enter into contracts, which those companies which are not now trading do not perform, and do not intend to perform?—So far as the Company is not a trading company I see no objection to the contract being entered into. The difficulty arises from the use of the words "art and mystery of the trade."

*2281. Surely where the Company is a trading company and a member of the Company *boná fide* intends to teach the art and mystery, that is an apprenticeship which should be rather cultivated than given up, is it not?—The Grocers' Company I say is not a trading company.

*2282. You are aware, I presume, that some of the companies are still trading companies, and that the apprenticeships are just as *boná fide* as they were when they were originally instituted, for instance, those of the Stationers' Company?—I would rather not speak about other companies, as to which I have not accurate information.

2283. Can you tell me whether it is the practice of your Company to grant leases of all their property at rack rents, or is it sometimes the practice to grant at lower rents taking a premium?—We never take a premium.

2284. Do you always grant at rack rents?—Or on building leases at the best rent that can be obtained by tender.

2285. Since you have had a knowledge of the Company, have the Company parted with any portion of their real estate?—They sold their Irish estate.

2286. But beyond that?—Mr. Ruck tells me there have been small cases either of sale or exchange.

2287. When property has been sold have the proceeds been treated as part of the *corpus* of the Company, or have they passed into the revenue account?—The proceeds are treated as capital.

2288. That, I presume, you consider is the proper way of dealing with them?—I should say so, but on the other hand I see no difficulty in taking part of the capital for charitable purposes if required, as in the case of the London Hospital.

2289. I presume you would not see any difficulty at all in taking any part of it, because you consider that the Company holds it just as any private individual would hold property?—I think we should be very unwilling to diminish the general amount of the Company's property; for instance, in the case of a large gift, such as the gift to the London Hospital of 25,000*l*., the amount probably would be made up by savings in other years.

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* *See* note to Question 2252.—J. H. W.

* *See* note to Question 2252.—J. H. W.

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2290. And having the absolute control of your own property you, of course, consider that a proper discretionary use of it?—I do, in the case of such a gift as that, undoubtedly, provided that it is made up in subsequent years.

2291. May I ask how the members of your court are elected, whether by the court or by the livery?—They are elected by the court.

2292. Having regard to the views held by some persons that the whole of the property of the Livery Companies is the property not of any section, but of all the members of the Company; should you think it more wise and fair that the court should be elected by the general body of the Company, namely, the livery?—I should say it would certainly not be wise that that should be the case.

2293. As the property belongs to the livery as well as the court, how do you give them the representation or control over it unless you give them the power of electing the court?—The property belongs to the Company as a corporate body subject to the terms of constitution. By the terms of constitution the Court of Assistants elect into their own body.

2294. Have not the court absolute power over the the property, as regards selling and dealing with it in any way that they, in their discretion, think fit. Of course, I refer to the corporate property?—Yes.

2295. Would you think it unfair to ask that the members of the Company—the livery, the general body—should elect those who have absolute control over their property?—I do not know that it would be unfair; I think it would be unwise.

2296. Do you think it would be wrong of the livery to expect that they should have a voice in appointing those who are to have absolute control over their property?—That I am not prepared to say. Of course I do not admit that it is the property of the livery; it is the property of the Company.

2297. Are not the livery the larger number of the Company?—The freemen are the larger body; the property is the property of the Company subject to the terms of the Company's constitution, and one term of the Company's constitution is that the members of the Court of Assistants shall elect into their own body as they elect on to the livery.

2298. May I ask you whether they are elected by seniority in your Company?—No.

2299. They are elected from the livery by the choice of the court?—By the choice of the court.

2300. In the last paragraph but one of your statement, on page 24, you say, "It may be a fair question "for consideration whether the Company should pay "a composition equivalent to succession duty on their "corporate property;" do you mean an annual sum which being a per-centage on their annual income may be regarded as equivalent to the succession duty payable by ordinary holders?—That is what is intended.

2301. (*Mr. Pell.*) Did you prepare this statement?—I had a great deal to do with it.

2302. It was a joint production, was it?—A small committee of the court superintended it; but I make myself responsible for the whole statement.

2303. Was anybody associated with that small committee of the court in the production of this document?—Two or three persons, officers of the Company, assisted; the senior warden, a member of the committee, gave very valuable aid.

2304. I will put the direct question at once. It appears to me that this has been prepared by a professional man; by a lawyer. Is not that the case?—Well, I am a professional man, though not in practice at the bar; it was prepared by myself as a member of the court simply, not professionally at all.

2305. What would you say with respect to the livery of the Company, are they all members of the Common Hall?—All the livery are members of the Common Hall, as far as I am aware.

2306. Are you clear about that; I do not know in the least?—I believe, as a matter of fact, it is the practice of the Company not to admit any man on the livery who has not taken up the freedom of the City, and a freeman of the City who is a liveryman of one of the companies is a member of the Common Hall.

2307. That is a very marked tie, is it not, with the Corporation of the City. Does not that connect you very intimately with the Corporation?—I am disposed to think that the Common Hall is an institution of the past, and that election by the Common Hall is a little more than a ceremonial election. I should compare it to a *congé d'élire* more than anything else; it is a survival of old custom.

2308. Still, such as it is, it is in existence and is operative?—It is operative, certainly.

2309. Then the chairman asked you something with reference to the origin of your Company and other companies, too, but of your own in particular. Would you repeat again what you understand to be the origin of your Company; what called it into existence?—That is mentioned very fully in the statement.

2310. Yes, it is, but it is rather obscure there, I think. You seem to trace your origin, do you not, to a body which did not exist very long, called the Pepperers?—They existed certainly as long back as the year 1180.

2311. Yes, 1180, undoubtedly; but it was not of very long duration as a body, was it?—No, the bankruptcy of the Italian merchants in 1345 seems to mark the date, after which we hear nothing more of the Pepperers.

2312. You do not assume that you came into being by spontaneous generation?—No; the records of the Company exist and the actual names of the founders.

2313. Then you connect yourself, do you not, with the Pepperers through a link which was a religious fraternity, that of St. Anthony; then the religious fraternity of St. Anthony are transformed ultimately into the Grocers' Company as we have it now?—Yes.

2314. How do you think that this recital of the Pepperers and the religious fraternity of St. Anthony strengthens the case of the Grocers' Company as against the reformers of the day?—It possibly is more a question of antiquarian interest than anything else.

2315. You are no more, I suppose, like the Pepperers than a frog is like a tadpole?—I imagine the Pepperers were traders; the fraternity of St. Anthony was a religious and social guild.

2316. But the Pepperers undertook other business or connected themselves with other business than that of spice and trade, did not they; they were canvas makers, and also had to do with the adjustment of weights, had they not?—It appears so.

2317. But you do not think your case rests strongly upon your connexion with the Pepperers?—No, the reference to the Pepperers was inserted to explain why the original founders of the Company in 1345 are so called; they are mentioned there as Pepperers.

2318. You did not insert that part of your statement relating to the religious fraternity in order to attempt to show that the Grocers had no craft, did you?—No, it was not inserted with that intention. The description of the foundation of the Company, which we have in the records, undoubtedly shows to my mind that there was no craft originally.

2319. What is, roughly speaking, the annual income of your property; the corporate and the charitable property?—About 40,000*l.* a year.

2320. And there is only a very small portion of that I think you say that is charitable property?—Yes, it may be regarded, as I have said, as being about 500*l.* a year; but, of course, we are concerned, if I may say so, with schools and other institutions which involve a very large outlay, and which must be kept up.

2321. That, I think you have said, was of your own good will?—Yes, but there are the institutions and they must be maintained.

2322. Then is it your contention with regard to this very large property that the Grocers' Company have just the same rights as persons owning private property?—I should say so, subject to the undoubted moral obligation which has always governed our Company.

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2323. Moral obligation is not always very strong with private persons; but I will not go into that?—It has lasted for 500 years with us as a Company.

2324. You mean the way in which you deal with this property is a moral question, and to be referred to moral law and not to anything else?—I should say there is no legal obligation.

2325. You say that the Grocers' Company has a conscience?—I hope so.

2326. Which it obeys?—Which it obeys.

2327. And which governs it in its dealing with this property?—Undoubtedly.

2328. Then you say, I suppose, that you are not fettered with any special conditions as to the use you make of this property, and that you are not answerable to any external authority?—No.

2329. And, so far, your case is very like the case of a private owner; do you say that you have no advantages conferred upon you by the law, by the State, or by the charters, that private persons have not got with respect to this property?—Of course we could not hold land at all without a licence in mortmain, which involves a charter.

2330. You pay no succession duty?—No.

2331. And, I suppose, you pay no property duty with reference to the charitable trusts of the estate; at all events you need not?—No.

2332. Do you pay the property duty upon the corporate property?—Upon the whole of the corporate property.

2333. You talked a little time ago of the property of the Company when Sir Sydney Waterlow was asking you some questions with regard to the livery. Now, what is the Company, what is it composed of; do you exclude the livery?—No, the Company is the whole body of liverymen and freemen.

2334. You admit that the liverymen are a part of the Company?—Undoubtedly.

2335. Did not you say that you thought it would be better that they should not interfere in any way with the administration of the Company's affairs?—Not so: for the members of the court are liverymen and represent the livery. I stated my opinion to be that the present mode of election by the court into themselves is the best, having regard to the constitution of the Company and the application of the income.

2336. (*Mr. Alderman Cotton.*) A great deal has been asked you with reference to the right of the livery going into Common Hall, and as to whether it did not make you a part of the Corporation of the City of London; do not the livery go into the Common Hall more as freemen of the City of London; and in accordance with the ancient right of freemen than of liverymen?—I think it is put in our statement that they go as freemen who have the *status* of liverymen of the Company.

2337. Yes, but they could go as freemen without being liverymen, and they could not be liverymen without being freemen, is not that so?—I was not aware that they went as freemen.

2338. The beadle of your Company passes them through the gateway, knowing them to be Grocers, but they go as freemen into the Common Hall, and he admits them because they possess the united office or powers of freemen and liverymen too?—Undoubtedly.

2339. But without being freemen they could not be liverymen, could they?—No, by the practice of the Grocers' Company they must be free of the City of London.

2340. Therefore the Commission may assume that they go as freemen?—Yes, undoubtedly.

2341. (*Chairman.*) You do not mean to assent to that, do you; they cannot go unless they are liverymen, can they?—They may go, I imagine, as freemen, but whether they would be admitted to vote unless they were liverymen, I cannot say.

2342. (*Mr. Alderman Cotton.*) The liverymen have a vote?—Yes.

2343. That is as freemen, because in addition to that you are aware that every man upon the register of voters for the City of London has a vote for the Common Council of the City of London?—Yes.

2344. So that it does not really constitute a monopoly upon your part of voting for members of the Common Council, or other civic offices?—No.

2345. With regard to the apprenticeships of the City of London, Sir Sidney Waterlow has made much of that point with you, but you know that to apprentice them to a member of the guild is more an honorary apprenticeship than an actual intention of training him to the craft or mystery of your business, or any other business; is not that the case?—Of course it is never regarded as a trade apprenticeship at all; it is not a trade company, and there could not be a trade apprenticeship.

2346. It is done in order that when he attains his majority he may come on to your company at a less fee than that at which he would otherwise be allowed to join you, is it not so?—It is done to recruit the Company.

2347. Then with regard to the election to the court you have very properly said that the court elects its own members from the livery. In course of time if the court died off fast enough, and the members of the livery lived to a sufficient age each member of the livery would become a member of the court would he not?—Possibly.

2348. You say in your Company you do not elect by seniority?—We give some weight to seniority, but that is not the qualification.

2349. Some members you mean are passed over as not being fit for members of the court, is not that so?—I prefer to say that we select.

2350. But putting it as an extreme case in the course of time every member of the livery would come on to your court, if they could live long enough and there were vacancies enough, that would be so would it not?—That might happen.

2351. So that the privileges of each member of the Company could they live long enough are equal?—From that point of view.

2352. Much has been said about the inequality; but when a man joins a company and takes up his freedom, and takes up his livery, he lives in hope hereafter of becoming a member of the court by the accustomed mode of election, does he not?—Perhaps it will explain the matter to the Commission better, if I say that the work of the Court of the Grocers' Company is so heavy, and there are so many charities to be attended to that we have to select men carefully to administer them. It is a very doubtful point whether it is an advantage to a man to be on the court or not; it is doubtful whether it is any social advantage to a man; it is certainly no pecuniary advantage.

2353. I am going more to the facts as regards election, and keeping to that as near as possible; I want to put upon the minds of the Commission, through your answers, this fact, that the members of a City guild are all co-equal; if not to-day they might be to-morrow?—Yes.

2354. And you yourself think the present mode of election from the livery to the court by the court is the best mode that could be followed?—I think under the circumstances and the constitution of the Grocers' Company, it is undoubtedly the best for that Company.

2355. Then I think the Charity Commission have a high opinion of this Company. Mr. Hare says, "The " Grocers' Company decline to exhibit any statement " of their property not specifically charged by the " respective founders of the charities. It has not " been an uncommon circumstance in the case of the " other City Companies that charitable funds given " them are not found at present set apart in any " definite form of investment, whilst the Company " generally admit their liability and pay the interest " on dividends from their general property. There " can be no doubt that in the case of these ancient, " wealthy, and liberal bodies the funds are practically

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"secure." Then he submits the circumstances to the Board?—Yes, that was his report.

2356. It is also a fact that the court fees amounted in 1879 to only 762*l.*, out of an income of 37,200*l.*?—Yes, I believe that is correct.

2357. The Grocers' Company have given away to charitable objects more than 200,000*l.* out of their corporate income in the last 10 years, have they not?—Yes, we give upwards of 22,000*l.* a year to charitable and educational purposes.

2358. That would be about 200,000*l.*?—Rather more.

2359. Yes, it is rather more. Two chief objects of your charity have been your school at Hackney, an excellent middle class school, and the London Hospital?—Yes, and Oundle School.

2360. Any other?—There is the first grade school at Oundle and the middle class school at Hackney; schools at Witney and Colwall, the London Hospital, and the great London hospitals and charities generally.

2361. Then it has been judicially decided that the Company is not a part of the Corporation of London, has it not?—That is so; Lord Chief Justice de Grey decided that in Plumbe's case, I think.

2362. Some few years ago you were very wide apart from the Corporation of London; I think there was quite an ill-feeling between the guilds and the Corporation, was there not?—Ever since I have been a member of a City Company I have considered that there was no kind of relation between the two.

2363. Then "after the great fire the Company became extremely poor, owing to the destruction of "their hall, almshouses, and house property. They "mortgaged their whole estate in order to provide "for the support of their charities. The then members also subscribed a very large sum for this purpose out of their own pockets. This transaction "amounted, in the judgment of the Company, to a "second foundation. Their present estate represents "the subscription raised after the fire; and, for this "reason, in addition to that of the law being on their "side, the Company contend that they have a moral "claim to treat their whole estate as private property"?—Yes, I consider that that is a fair representation.

2364. That is using your own word "moral"?—Yes.

2365. "It has been judicially decided that the Company have a right to sell and divide; not that they "really wish to do this, or would think it right. "This has been done in the case of innumerable provincial guilds." Is it a fact that "there are several "towns in England where there are rich guilds, *e.g.*, "Bristol, where the Merchant Adventurers own all "Clifton, and have 20,000*l.* a year; Sheffield, with "its Cutlers' Company, which has a hall and a considerable revenue"?—I am not well acquainted with this: I believe the Cutlers' Company of Sheffield has a hall and a revenue.

2366. You object to London being dealt with separately?—Certainly.

2367. Your own opinion is most positive as to the fact that the property which you are enjoying, with the exception of the 500*l.* a year, is your own private property?—Yes.

2368. (*Mr. James.*) You stated in the statement which is before the Commission that your Company entirely endorsed the letter which was sent to the Commission by the clerk to the Mercers' Company on the 14th of December 1882?—I think the expression is that we "adhere to the views expressed generally in this letter."

2369. Exactly, do you adhere to that?—I do.

2370. I believe it is the case that at the time of the appointment of this Commission, or shortly before, there was every wish expressed by the members of your court that the fullest information should be given to such inquiries as the Commission might think proper to address to them?—Yes, we were always willing and thought it right to give any information in our power.

2371. The fullest information in your power?—Yes.

2372. I believe you were extremely anxious that there should be no supposition whatever on the part of the public hereafter that any charges of any sort or kind made against the Company should be made without receiving on your part the fullest explanation and the fullest answer?—That, undoubtedly, was the wish of the court.

2373. Then I will ask you one or two questions with regard to the charters which are set out in the commencement of your returns. Take, for instance, Return B., Part I., will you kindly tell me how the committee of your Company, which you referred to in reply to a question from Mr. Pell, decided what portions of these charters should form part of your returns—what should be included and what should be omitted?—I am responsible for that. I believe the returns state fairly everything. They were intended to state most fairly everything that is material in the charters.

2374. I do not want unfairly to press you, but what would you consider "most fairly"—from what view?—From the point of view of the Commission, undoubtedly.

2375. Not of the Company?—Not of the Company.

2376. In the returns of those charters have you everywhere, where you have been able, inserted merely the recitals of the charters or have you taken the operative part of the charters?—In the case of the charter of James I., for instance, the return undoubtedly recites the operative part.

2377. Would you mind looking at page 4 of your return where you refer to the first charter of James I. You mean that this is the operative part "to have "supervision, correction, and governance of all persons "carrying on, exercising, or using the mystery of "Grocers and the art of Apothecaries, and power and "authority to punish all delinquents unduly or unsufficiently carrying on or exercising the mystery or "art of Grocer or art of an Apothecary"?—I think the fact that in the preceding words the charter incorporates the freemen of the mystery of Grocers and Apothecaries, and so on, clearly shows that what you have read forms a portion of the operative part of the charter.

2378. Was the same course pursued with regard to all the other charters?—I believe so. I really cannot tell you, for it is so long ago now, but I will gladly obtain for you any information on the subject.

2379. I suppose you would have no objection to produce for the purposes of the Commission, if hereafter desired, the whole of the documents?—Not the least.

2380. Perhaps it is a question relating rather to the historical part of the question, but it bears somewhat upon the immediate purposes of the inquiry; I suppose towards the end of the 17th century, that the companies were in a very destitute and shattered condition?—That is so; bankrupt in fact.

2381. And that the great wealth of the companies has been acquired chiefly by the great development that has taken place in the value of metropolitan property in comparatively recent times?—Yes, but it was the money subscribed by members of the court of the Grocers' Company which restored the Company to its position.

2382. I do not want to dispute with you, because we have entered into the question of its being a trading community; you do not consider it a trading community; you say that it was a social community originally, and that that social community afterwards became connected with the Corporation?—Yes, so far as it ever became connected with the Corporation.

2383. And then at a subsequent period that connexion seems to have become gradually less?—For the last 200 years there has been no connexion at all that I am aware of, except only that the livery might attend in Common Hall for the election of Lord Mayor, and, I believe, one or two other officers.

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2384. Was it not the case that at certain periods the Corporation made demands upon some of the companies for pecuniary subventions for the purposes of the Corporation?—I am not aware of that in the case of the Grocers' Company, or, indeed, at all. I believe the Corporation on some occasions collected money for the Crown by demand upon various companies.

2385. Is it not the case that it sometimes collected money for the Corporation?—Not that I am aware of, but of course in a history of 500 years it is very difficult to say what may have happened.

2386. Then, so far as this connexion between the relations of the court and the Corporation is concerned, I dare say you are familiar with the Report of the Municipal Commissioners of 1834?—I am not very familiar with it.

2387. Have you never read that document?—I have never read the whole of it, I think.

2388. Would you allow me to read you just one or two extracts from it. It is signed by John Blackburne, Francis Palgrave, D. Jardine, T. F. Ellis, junior, and J. E. Drinkwater Bethine. It says, "No "one can become a freeman of the Corporation but "by previous admission into these companies, except "in some cases in which the honorary freedom is "presented by a formal vote of the Corporation"?—That is incorrect. Whether it was so at that time or not I am not quite sure, but certainly at the present time a man can be free of the City without being free of any company.

2389. How can a man become free of the City without being free of a company?—Through the Chamberlain's office. I think the change was made in 1835, and if so, that report would be correct at the time it was written.

2390. Then it goes on to say, "the freemen, there"fore, may be considered as divided into two classes, "the one comprehending such as are, and the other "such as are not, liverymen in their respective com"panies." Then again it says, "the principal privi"leges of the freemen consist in their right to take "part as electors in the concerns of the Corporation, "in their exemption from certain tolls in the City "and elsewhere," and so on. The Court of Common Hall consists of such freemen of the Corporation as are liverymen of the several companies, does it not?—Yes.

2391. That is still the case at the present moment, is it not?—I understand that to be the case, but I am informed by Mr. Alderman Cotton that it is not so; he has stated that all freemen can attend.

2392. Can freemen who are not members of a company become members of a livery and attend the Common Hall?—They cannot, I believe, become members of the livery of a company.

2393. Then the Common Hall consists exclusively of liverymen?—I do not know whether that is the case; it seems that it consists of freemen of the City.

2394. Upon what do you base that statement, are you speaking from your own knowledge?—No, from what Mr. Alderman Cotton says: he must know very much better than I do.

2395. Can anybody but a liveryman vote in the election of a Lord Mayor—I believe not.

2396. (*Sir Sydney Waterlow.*) Therefore at a Common Hall for the purpose of electing a Lord Mayor, practically, no man can come to be of any use except a liveryman?—Not to exercise the power of voting, but I believe the power of voting to be a mere form.

2397. (*Mr. James.*) Still you admit that the Common Hall is composed exclusively of liverymen?—So far as voting goes, that is my opinion.

2398. Have you in the records of your Company any accounts which show the expenditure and the income of the Company at different periods of your history?—Yes, to some very considerable extent, I think.

2399. Do you think that in the present day the proportion for social and the proportion for benevolent and educational purposes would bear a fair proportion at all to the proportion existing at those different intervals?—At what intervals would you make the comparison? But perhaps it would save you trouble if I say this, that undoubtedly the proportion of the money given to educational and charitable purposes has very largely increased.

2400. That may be so, so far as money is concerned?—The proportion has increased, I intended to say.

2401. I hope you will not think that I put the question in a way that would be at all offensive to you, but looking at Return H., at the end of page 42 of your returns, if I take some of those items with regard to your expenses for entertainment, I see from items of the "tradesmen's bills" (and there are numbers of items you will see below there which relate mainly, if not exclusively, to matters connected with your entertainments) that in the year 1879 you spent nearly 7,000*l.* for the purposes of entertainment, and barely 6,000*l.* were expended on education. The object of my question in the first instance was to know whether you think that in the early days of the Company the amount that was expended for education and the general improvement of the youth of the Company, that is to say, for purposes which would be in those days analogous to what educational purposes are now, would bear a fair proportion to the large sum given for entertainment?—I think you would find the entertainment bore a larger proportion in former days.

†2402. You think there was a larger proportion then?—Yes, at present, if the Company's expenditure is put at 35,000*l.* a year, and is divided into five parts, you will find a little more than one fifth is expended in the maintenance of the hall, salaries of officers, court fees, rates and taxes; considerably less than one fifth on hospitality, and more than three fifths on education and charity. This does not include outlay, wholly or partly, on capital account, such as the gift of 25,000*l.* to the London Hospital, and 28,000*l.* at Oundle School.

2403. And I think about 10 per cent. goes exclusively for the purposes of managing; is not that so?—I suppose so, taking management to include court fees, and the salaries of officers and servants; but I do not like to answer that off-hand. Of course I ought to look into the figures.

2404. (*Sir Sydney Waterlow.*) Those figures only refer to the corporate estate, and have nothing to do with the trust estate?—The trust estate is, for this purpose, practically of little importance; it is only about 500*l.* a year. But the expenses of management include management of trusts.

2405. (*Mr. Burt.*) With regard to the school at Oundle to which you pay so much, it is a middle-class school, is it not, entirely?—No, it is a first-grade school. It is a good classical and mathematical school, but the future of the school is under consideration at the present time, and possibly it may be made more of a commercial school, but that is uncertain.

2406. How is access obtained to the school?—Just like any other public school.

2407. Is there any sectarian test at all?—None whatever.

2408. It is open to dissenters or nonconformists, or anybody, I suppose?—Yes, as far as I am aware. That is really left to the head master, and the Company do not interfere about it.

2409. You state on page 22 of your statement that you pay large sums for technical education; may I ask how much you expend?—We are giving 2,000*l.* a year. Of course you will understand it is an annual gift; we do not bind ourselves to give it, but it has been given the last two years.

2410. Through what channel is that given, may I ask?—The City and Guilds' Institute.

2411. Has it been given for long?—For two years.

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† The expenditure for these objects in the year 1882 was:—Maintenance of hall and office expenses, 1,600*l.*; rates, taxes, and insurance, 1,100*l.*; salaries of staff (including management of charities), 3,300*l.*; court fees, 800*l.*; social purposes, 5,400*l.*; education and charity (exclusive of a capital outlay of 2,000*l.* for Oundle School), 23,000*l.*—J. H. W.

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2412. I think you said, in answer to Mr. James, that you pay a greater proportion than formerly for educational purposes?—For educational and charitable purposes.

2413. Does that apply to general public objects as well?—I should call the large London hospitals public objects. The same thing with the Mansion House funds; those, I suppose, would be called public objects.

2414. I think that formerly the Company was liable to pay to supply coals and corn to the very poor at cheap rates?—There was such an obligation, or at least a practice for a time, I think.

2415. Is there anything equivalent to that now?—There are large gifts for the poor; large sums of money are given to the poor, of course indirectly, through hospitals, dispensaries, magistrates' poor boxes, and other similar means.

2416. And is that distributed generally, or is it restricted to the members of the Company and their connexions?—Not at all; it is given for the poor generally. You will understand that we also provide for our own poor members. That is a distinct matter.

2417. At present the Company has not any real connexion with the grocers?—Not the least. The meaning of "Grocer" as applied to the Company is totally different to "grocer" as commonly used in connexion with trade; it scarcely seems to be the same word.

2418. Of course formerly the connexion really existed, and it was part of the duty of the Company to look after adulteration, and so on, was it not?—Yes. I do not know whether you would quite call that connexion with trade. Undoubtedly the Company, as a very important body in the City of London, had certain powers of trade superintendence.

2419. And at that time it was incumbent upon them to make provision for their old members, and so on?—Yes; I think provision for the poor members is one of the original ordinances of the Gild as long back as 1345.

2420. (*Mr. Firth.*) You say in this statement that "the Company respectfully submit that this action on "their part shall not be considered as an admission "in any sense of any special jurisdiction of the Crown "over the Livery Companies, or of the right of the "Crown without the authority of Parliament to institute an inquiry into what has been judicially "declared to be private property"; and on the last page you state that you "are not aware that they are "in a different position to any other of Her Majesty's "subjects." Are you aware that the Crown has already instituted, upon two previous occasions, inquiries of this kind?—Do you mean Royal Commissions?

2421. Inquiries of this kind. I draw your attention to the first one; it is on page 36 of Herbert. Have you read the letters mandatory which were sent out in the 12th year of Richard II., as to which Herbert says: "By letters mandatory of his twelfth year "he enjoined the Mayor of London to make proclamation—That all and singular masters and wardens "of Gilds and fraternities within the City of London "and suburbs of the same, should deliver in to the "King and Council, in the Chancery, a full, distinct, "and proper account in writing of the manner and "nature of their several foundations, their beginning "and continuance, together with the rules of such "fraternities: the manner and kind of oath to be "taken by the community or assembly of brothers "and sisters and others, and all other particulars "appertaining to such Gilds; as likewise respecting "their liberties, privileges, statutes, ordinances, usages, "and customs. Moreover, an account of all lands, "tenements, rents, and possessions, whether mortgaged "or not mortgaged; and of all goods and chattels "whatsoever belonging to the said Gilds, in whose-"soever hands they might be holden for the use of "such Gilds; and to return with the answers to these "queries the true yearly value of the same; and "whatsoever in any manner or form concerned, all "and singular the premises, together with all other "articles and circumstances whatsoever touching or "concerning the same, under penalty on neglect to "forfeit for ever such lands and other things to the "King and his successors; also that the said master "and wardens should have before the King and "his Council at the same time whatsoever charters and letters patent they possessed, from any "grants of the King or his predecessors to the said "Gilds and fraternities, under further penalty of "having all such grants and privileges contained in "them revoked and annulled." Have you read that?—I should think the legality of that is extremely doubtful.

2422. Have you read that?—It is in Herbert, I believe, and I think the legality, if it could have been tested, in such days as those were, would have been extremely doubtful.

2423. You say the legality of the letters mandatory of Richard II. is, in your judgment, doubtful?—Very doubtful.

2424. Is it not a fact that various London Companies, including the Grocers' Company, have been compelled by almost all the English Kings and Queens down to William III. to pay them money on precept?—Not all the companies I think. Some of the companies did so, in the time of the Stuarts particularly.

2425. Did not Queen Elizabeth send precepts to your Company to pay money?—Yes, and to many private individuals as well, I think.

2426. Yes, but we are examining into the companies now. Is it not a fact further that you obtained from all the Sovereigns new charters?—Not from all, not from Henry VIII., or from Elizabeth, or from Henry VII. I think.

2427. Do I understand you to say that you did not obtain one from Queen Elizabeth?—I think not.

2428. Well, but I am bound to draw your attention to this, that on page 3 of this statement you say that these difficulties have arisen from the imperfect acquaintance which we have with the early history of the present management of those Trusts. I would now ask you, are you not aware that both in the reign of Philip and Mary and Elizabeth your Grocers' Company's charters were renewed and confirmed?—No, I am not aware of that. Of course you will understand that in the case of charters extending over a period like this of 400 years, it is very difficult to vouch the contents of each individual charter, but I believe that to be the case.

2429. You have prepared a list of charters and have not inserted a number of charters; for example, I put it to you that the charter of Philip and Mary, and the charter of Elizabeth, are not inserted amongst others?—Then we have not them in our possession. I think the question addressed to us was what were the charters in our possession, or of which we had knowledge.

2430. Of which you had knowledge?—I see the words are:—"A list of charters which have been at "any time in the possession of the Company."

2431.—I think this charter of Queen Elizabeth is in Herbert. You had new charters granted, as you admit, I think, by James I., Charles I., Cromwell, Charles II., and James II., is that so?—Would you repeat them?

2432. All the Stuart sovereigns and Cromwell?—I believe it is doubtful in the case of Cromwell.

2433. With respect to the rest you have, have you not?—James I., Charles II., and James II.

2434. And Charles I.—And Charles I.

2435. Those were new charters were they not?—They were new in one sense undoubtedly.

2436. Just let me read you a quotation from your journals. "In 1605 a new charter was read to the "Company by the clerk, when the whole of the Company with one voice and free consent gave great

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"approbation and allowance thereof." Now are you prepared to meet the contention (if so, how) that every Sovereign down to William III. granted you a new charter?—I believe it not to be the case.

2437. I understand you here to say that you are not in any way subject to the right of the Crown, and that, therefore, these questions of precedent are not in point. I should like to ask you one more question of precedent. At the time of the *quo warranto* when the Grocers' Company's Charter was given up, the Grocers' Company never carried the *quo warranto*, as you know, into a court of law. They did not resist to the point of having a decision upon it. Are you aware of that?—I believe that is so, but I think other Companies did, and they probably waited to see the result as in Plumbe's case.

2438. At present I am dealing with the Grocers' Company. I do not concede your proposition. Did you in your Company proceed to surrender your charter by petition?—I do not know; I should think it very likely.

2439. Surely you must know, however you do not know, therefore you cannot tell me. I read from Herbert, and ask you whether that is correct. It is at page 215, "The surrender of their charters was in most of the Companies preceded by a petition stating their having been chartered and incorporated by former royal grants, which conferred on them divers immunities, privileges, and franchises. That his sacred Majesty having in his princely wisdom thought proper to issue a *quo warranto* against them they had reason to fear they had highly offended him, and they therefore earnestly begged his pardon for what was past, and to accept their humble submission to his goodwill and pleasure, and that he would be graciously pleased to continue their former charters." After that you surrendered your charter?—Yes.

2440. At the time you surrendered your charter did you ask the King to give you such powers as he should think "most conducive to the government of the said Company, and with and under such reservations, restrictions, and qualifications as His Majesty shall please to appoint"?—What page of Herbert are you reading from, may I ask?

2441. I am reading from a note at the bottom of page 216. Are you prepared to say whether that is or is not correct?—I cannot say of my own knowledge of the Company's records, but I think it is likely to have been the case. Of course the *quo warranto* was a very arbitrary proceeding altogether.

2442. Do not let us misunderstand the fact. Is it not the fact that immediately they obtained the writ the assistants of your Company were called together and soon resolved upon their duty; and that without one dissentient member they agreed that a humble address should be presented at His Majesty's feet?—That is so stated in Herbert.

2443. Is that according to your examination of the Company's records correct?—That I cannot say.

2444. Still you contend that you are not in anyway subject to the jurisdiction of the courts?—The whole proceedings under the *quo warranto*, as you are aware, were afterwards declared to be illegal and annulled by the Act of William and Mary, and it became unimportant to look at it.

2445. You see I put to you your voluntary action. The very point was that you did not contest the *quo warranto* by an action. Now, with respect to the next part of your statement, you say that you could not appear before the Commission of 1833 without admitting yourselves to be a Municipal Corporation. Is it your suggestion then that all the companies that did appear before the Commission of 1833 admitted themselves to be Municipal Corporations?—That I cannot say. It would undoubtedly have been dangerous to have appeared, because it would have seemed like admitting ourselves to be a municipal corporation.

2446. Have you the case you submitted to Chief Baron Pollock?—It is at Grocers' Hall.

2447. Have you any objection to supply us with a copy?—Not the least. The opinion is word for word, I believe, set out here.

2448. I see Chief Baron Pollock said you had nothing to do with the government of the City. Herbert, I believe, was the librarian of the City Corporation, was he not?—Yes.

2449. He says that the City Companies are a branch of the Corporation?—Yes, he does, but I think Herbert is inaccurate. There are many inaccuracies in his book.

2450. Is it not true now that no one can become free of a company, unless he is also free of the City?—No, I think not.

2451. Have you any member who is free of your Company who is not also free of the City?—That I cannot tell you; but to become free of the City is a separate act and a subsequent act. A man becomes free of the Company before he becomes free of the City; therefore if he does not take up the freedom of the City subsequently he remains free of the Company without being free of the City.

2452. You recollect that in your reading the converse was formerly the case. Under the articles of Edward III., which governed the City for centuries, no one could be free of the City unless he were first free of a Company; are you aware of that?—I believe that was so up to the year 1835. I am speaking of the present time.

2453. 1835, you say?—Yes, I think it is so.

2454. Are you not aware that many persons came before the Commission of 1834, and complained that they were compelled to take up their freedom in various City Companies, the Grocers' amongst the rest, before they were allowed to trade?—I do not see how that could have been correct.

2455. As to the election of City officers, it is the sheriffs, the bridge masters, and the auditors, in addition to the Lord Mayor, who are now elected by the livery, is it not?—I really do not know as to the sheriffs; as to the bridge master it is so I think.

2456. Down to the time of the Reform Act is it not the fact that the livery of London were the only electors of the members of Parliament?—After what I have heard read by Lord Coleridge, I must say so.

2457. Do you consider that the right of electing members of Parliament should be continued in the livery?—That really is a public question. Do you wish for my own opinion about it.

2458. Yes. I should like to ask you afterwards,—if so upon what ground?—I should say that it is desirable that it should be continued, and I think upon this ground among others that the Livery Companies are freeholders in the City of London and that their freehold interest is to some extent represented by the livery vote.

2459. Occasional freeholders, only freeholders as members of the Company?—The Livery Companies I say, as such, are freeholders.

2460. And you are aware that in many of the Livery Companies the livery is obtained by purchase?—That is so, but that does not give a vote.

2461. The livery gives a vote, does it not?—No, not in the case of liverymen by redemption.

2462. Freedom is obtained by purchase, and then there is freedom to the livery which gives a vote; is not that so?—It is correctly stated in your own book. Will you allow me to read an extract from it.

2463. Yes:—"The Reform Acts of 1832 and 1867 regulate the electoral body voting for Members of Parliament. The former restricted the liveryman suffrage by confining it to liverymen who were also free by birth or servitude, and who resided within 25 miles of the City." That is correct, I believe, except that the qualification of residence within 25 miles was fixed by the Act of 1867, not by the Act of 1832.

2464. You were asked a question by my friend Mr. James whether the City itself had not raised

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money from you. I understood you to say not ?—Not that I am aware of.

2465. I ask you whether in 1559 (one of many cases) the Mayor of the City on behalf of the City did not send precepts to the various Companies commanding them immediately to collect and pay money for civic purposes ?—I have no knowledge of that.

2466. Are not you aware that in subsequent years the City imprisoned, and claimed the right to imprison, those that did not pay, you are not aware of that ?—Not at all. Of course I speak only as regards my own Company.

2467. I am speaking of your own Company, I am quite keeping to that. Now I want to ask you a question with respect to the Mayor and the control of the City, and then I will leave this subject of the Municipal Corporations. Was it not the fact that the Lord Mayor down to Sir John Wilmot in 1742 was always a member of one of the 12 great Companies ?—I believe that to have been the case.

2468. Are you not then aware that if the alderman elected as Mayor, was a member of a minor Company he was required to join one of the 12 great Companies ?—There seems to have been some such custom, but whether it was binding or not I should not like to say.

2469. That I am going to ask you now. Are you not aware that the City claimed the power and exercised it, of committing the alderman if he declined to join one of the 12 great Companies ?—No.

2470. Then I put to you a note on page 316 of Herbert, and ask you whether you have ascertained that it is or is not, true that the City claimed the right. "An Alderman being next to the Mayoralty and "declaring his purpose to take the Company of "Drapers and that Company refusing they were "enjoined to receive him," so that there was the action of both sides. Did not the Corporation compel the Company to receive the alderman ?—I have no information except from this note in Herbert.

2471. Now I will go on with your statement for a moment if I may do so. We, you say, were imperfectly acquainted with the management of the guilds. Was there any document from which an acquaintance with that management could be obtained until you made your return ?—I do not know that there was any public document except, possibly, some returns to the Commission of 1835.

2472. But you made no return ?—The Grocers' Company did not.

2473. Are you aware that there has been very great complaint amongst liverymen of your own Company of the want of information as to the way in which it was managed ?—I am not aware, and I believe that that is not the case. The clerk of the Company says that he has never heard of anything of the kind.

2474. I find, leaving many of these matters, that you come to some observations with respect to what Mr. Beal said about Keble's Trust, beginning on page 5 and going on to page 7, and you say that you could not have a better instance of the worthlessness of some of the charges made against the Companies ?—Yes.

2475. He sets out the fact that you receive 9*l*. 2*s*. a year from certain property in Old Jewry, that is the sum which you yourself in your return set out as the amount you have received ?—Oh no ; that is set out as the amount that we are bound to pay to the charity.

2476. The amount you are bound to pay ?—I think we state that the amount we receive is about 8,000*l*.

2477. Then I understand the observation to which you apply these strong terms is that the site of Grocers' Hall ought also to be brought under Keble's Trust ?—No, I think not more than to the observation charging the Company with breach of trust, namely, the statement "The entire income was given to be divided in "certain ways," (that is what I particularly object to) "and I say, as a matter of law," (which would be quite correct) "that every shilling of that property to what-"ever it may amount, must be used for the same "purposes. Keble's case I take to be a sort of test."

2478. As to the Grocers' Hall site, you take strong exception to Mr. Beal saying that that is included ?—Yes.

2479. Are you not aware that in Herbert it is so stated, "A messuage then called Grocers' Hall near "the Poultry" ?—Yes, but that is an obvious error, taken from the old inquisition.

2480. Are you aware that in a book called "the "Endowed Charities of the City of London," published in 1829, the same statement is contained that Sir Henry Keble devised to the Grocers' Company certain premises, and it says the premises are Old Jewry and a messuage called Grocers' Hall ?—Yes ; it is all taken from the mis-statement in the inquisition copied word for word. If we consider the matter, it is quite clear that at the time Sir Henry Keble made his will Grocers' Hall was an important building. Keble describes accurately the houses left by his will, and it is impossible that he could have called Grocers' Hall simply a messuage like the other houses. I think the charge of breach of trust against the Company is a most serious thing.

2481. But there are these two authorities ?—There is no authority whatever as to the breach of trust.

2482. Now we come to the breach of trust, which I understand to be the gravamen of this statement. Have you a copy of Keble's will ?—We have a very ancient copy.

2483. Have you supplied it to us ?—You have not asked for it.

2484. Will you supply it ?—We have no objection to your seeing it.

2485. I should like to have a copy. It says, according to your statement, "that the Company should "with the rents provide a chaplain, pay 6*d*. a week "to seven poor freemen, and keep a yearly obit with "a gift over if the Company should make default." Do these two properties, Warnford Court and Old Jewry, under Keble's will, bring in the former something over 6,000*l*. a year and Old Jewry 3,300*l*. You do not return anything as the value of the Grocers' Hall site ?—Because that is not included in the will. There is little doubt, I think, that the Warnford Court property was not included in the will either, that is beneficially.

2486. Have you had a legal opinion as to whether it is included in the will ?—I think it is hardly a case for a legal opinion.

2487. You say 6*d*. per week to seven poor freemen ; what was the income of the property at that time ?—That I cannot tell you.

2488. How much was it over 9*l*. 2*s*. ?—It would depend upon how much property is comprised in the will, and whether the Warnford Court property is comprised or not. I am disposed to think that Sir Henry Keble, as to the Warnford Court property, was a bare trustee.

2489. Do you consider that you are, with respect to this property, fulfilling what Sir Henry Keble, if he were here, would call the intention of the benefactors, and that you are carrying out your moral obligation. Do you consider Sir Henry Keble contemplated the present state of things in which the poor should have 9*l*. 2*s*. and that you should have 10,000*l*. a year ?—But you have not read the statement ; we explained to you that we give 4,000*l*. a year to the poor of the Company. We give as much to the poor of the Company as is good for the poor of the Company, and as can be properly applied.

2490. Do you consider that you are carrying out that moral obligation when you specifically appropriate only 9*l*. 2*s*. That is all you return ?—Undoubtedly we carry out the moral obligation.

2491. Then I come to what you say about some observations of mine on page 9. You say, "Nothing "could be more baseless than the imputation made by "Mr. Firth." Now let us see what imputation this is. On page 8 there is this statement. "Mr. Firth says, 'It is not without a certain aptitude that one "'recognises the motto of the Company, 'God grant "'grace.'" As you have put that in I will ask a question upon it. Is not that statement in "Municipal London" made after your letter to the Municipal Commissioners of 1835?—I will look and see.

2492. Well it is so. I should like to ask you whether you have a copy of the letter you sent to the Commissioners of 1835, because you see the suggestion is that this was a graceless act. However, you have nothing to say about that?—What act do you refer to?

2493. I mean your declining to give evidence before the King's Commission in 1835. Now we come to the rest. "It would have been interesting to know "how the Grocers do dispense their vast trust property"?—You say the "graceless Grocers."

2494. You do not suggest that your act of 1837 was other than graceless, do you?—I think under the circumstances it was quite right and proper.

2495. Then let us have the letter. However, we will go on. "It would have been interesting to know "how the graceless Grocers do dispense their vast "trust property. For example, in 1636 one William "Pennefather by his will gave 233*l.* 6*s.* 8*d.* to buy "land of the yearly value of 11*l.* 13*s.* 4*d.*, such sum "to be divided yearly amongst seven poor almspeople. "How much does the land bring in, and how much "is paid over? So a house given to the same Company to provide 4*l.* a year for an iron and glass "lantern to be fixed in Billingsgate, and 6*l.* 10*s.* to "the poor. If the house brings in (as it probably "does) 300*l.* a year, how much is given to the poor?" Are those imputations do you consider?—Clearly.

2496. Was there any means of ascertaining how they did dispose of that property at that time?—I should think not, but still one does not make imputations because one is ignorant.

2497. Then we come to the fact that Pennefather (according to Herbert) left this money to be divided amongst the poor,—the whole of it. Is a single farthing of it now divided amongst the poor?—A very much larger amount than he left is divided amongst the poor.

2498. "The income from my property" is the question; is that divided amongst the poor?—It is not possible to ear-mark the actual sovereigns which come from that property.

2499. But just let me point out that in this very statement you say that you have appropriated it to the middle class school scheme, hence my question?—Of our corporate property we give to the poor at least that amount, and very much more.

2500. That is a different issue.—I beg your pardon, I do not so understand it.

2501. If a question then is asked which you regard as an imputation as to how much of the Company's property is given to the poor you are not prepared to show that any of it is. So with respect to the next,—Wardall. In Wardall's case the surplus was specifically given to the poor, you say that you have put it in a middle class school scheme?—It is all explained in the statement.

2502. (*Mr. Pell.*) Will the witness explain what is meant by the poor?—It is the poor of the Company. The trust is for the poor of the Company in each case.

2503. (*Mr. James.*) The poorer brethren you mean, do you not?—The poorer brethren, members of the Company.

2504. (*Mr. Pell.*) Not what you would call the poor generally?—Not in that case.

2505. (*Sir Sydney Waterlow.*) Are they freemen of the Company?—All freemen of the Company or widows or unmarried daughters of freemen.

2506. (*Mr. Firth.*) Wardall's gift was to the poor almsmen or the Company's poor almsmen; do you say members of the Company?—I should think so. I do not know for certain that they were, but I believe they were members of the Company and lived in the almshouses in Grocers' Hall Court.

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2507. With respect to this question of the poor the charter of 7th Henry VI. gives the power to purchase land to sustain poor men of the community; were any such poor men carrying on any business, except that of grocers; were they not all poor grocers?—No, I think not. The Company at that time consisted of other persons besides grocers.

2508. Honorary members?—Not at all; you find in the original ordinances that other persons could be admitted.

2509. Have you any evidence of any persons being admitted who were not members of the Grocers' Company?—Not the actual names in the case of poor members, but I think you must assume that there were poor members who were not members of the trade.

2510. I see you state in your report that there is only one list that you have of the Grocers, which is in 1795. That is in your first report. Are not you aware that there are several lists of Grocers in Herbert?—Not lists of the whole Company, freemen as well as liverymen.

2511. Are you aware that the whole of the managing body and the bulk of the members of the Company when all these bequests were given for the poor were grocers?—They were Grocers as members of the gild but not grocers by trade, I believe.

2512. I mean by trade?—I believe not; not all of them by any means.

2513. You have a contention here on page 11 that this was not a craft guild. I do not quite understand from your answer to Sir Sydney Waterlow, what you mean by a craft guild?—A craft guild is a gild which, as you state in "Municipal London," consists exclusively of members of the trade. That is one of the leading tests of it.

2514. Did this consist exclusively of members of the trade in 1365?—No.

2515. I am giving you a particular year?—Not in 1365, certainly not, because there were two clergymen who were members of the Company at that time.

2516. You say there were two clerygmen in the year 1348; the Company of Grocers was not in existence in 1348, was it?—I should say the Company of Grocers and the fraternity of St. Anthony were one and the same. It was not in existence by that particular name.

2517. Are you aware that the name of the Company, the Grocers, was not taken at all until the year 1376?—1373, or a little earlier.

2518. I am speaking of the Company of Grocers. You say here on page 11 that there could not be a craft of general merchants; therefore there was no craft. That is because of a complaint made in 1363 you say. Are not you aware that that was a petition against the Grocers' Company, or, at least, against a body of men for collecting various goods, and keeping them until they became dear?—Yes, so it was alleged.

2519. Then, are not you aware that in the following year, 1364, an Act of Parliament was passed to deal with that very matter?—So it is stated; but I believe there is some doubt about that.

2520. And by which artizans were compelled to choose their own mystery?—Yes.

2521. If they did not do so they might be punished by imprisonment, and the Grocers then became a separate body?—I think more information is wanted about that Act of Parliament. It is a very doubtful question. The Grocers could hardly be included in the term "artizans."

2522. You have not put that in your statement?—I do not consider it material.

2523. Are you aware that at that time the oath taken by the wardens and members of the Company was that you shall swear to truly oversee the craft, and

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so on; perhaps you are not aware of that?—No, I am not.

2524. I should like to ask you a question or two more about that. Do you admit that your Grocers' Company had a weight and oversight over many articles for a long series of years?—Yes, but they have not exercised the power since the great fire.

2525. Over grocery articles, for example, being sold in the street, in 1562?—Yes, at one period.

2526. Then you come down later to 1564. Do you recollect that the Physicians' Company obtained a charter, and that your Company contested it, because they said it would interfere with your rights in your trade?—Yes, that is very likely, as regards contesting the charter.

2527. Then we come down lastly to the question as to this charter to which allusion was made of William the Third. I was hoping that Sir Sydney Waterlow would have read the end of it, but I must read the end of it to you. The end of your quotation is this, that the "confectioners, druggists, tobacconists, tobacco-cutters, and sugar bakers, or refiners of sugar "in the City, or within three miles round it, are and "shall be part of the body corporate and politick "of the aforesaid wardens and commonalty of the "mystery of Grocers" (it does not say "art and mystery" in that part of it) "of the City of London, "and that every person now or hereafter exercising "or using any of the said arts or mysteries who is "now free of any other society or mystery in the "City, shall and may be able to be made free of the "society or mystery of Grocers of the City of London." What do I understand you to say is your construction of those words; do you say they are perfectly innocuous or *ultra vires*?—Perfectly *ultra vires*.

2528. When was that contention ever raised on behalf of the Grocers' Company?—It was never contended that the words had any operation.

2529. Then I may take it that in your opinion a *mandamus* would not go to the Grocers' Company to compel them to admit a grocer under that charter?—Yes. Perhaps you will allow me to read the minute of the Court of Assistants of the 25th of July 1690; that is just contemporaneous with the grant of the charter, and clearly shows the Company's own view about it, and that the view of the court at that time was that the charter was not compulsory. "The "Court being informed that His Majesty having been "graciously pleased to incorporate the sugar-bakers, "and make them a part of this mystery, and that the "byelaws are again pursuant to the order of the "assistants prepared and approved of so as to include "them in the regulation and government of the members and mystery, and that several of them seem "willing to comply with the charter and ordnances "of the Company, provided they may be admitted "into the fraternity on easy terms; to the end, therefore, they may have all due encouragement, and that "the wardens and assistants may omit no opportunity "of advantage to the Company, it is wholly referred "to the wardens to treat with any persons relating to "that affair, and to make their report to the Court of "Assistants of their opinion therein that they may "make such further order as may be for the public "good of the fellowship and the members of it."

2530. But do not you hold your lands under this charter?—Under some charters, no doubt.

2531. And all the charters under which you hold lands (if there is any exception, I should like to have it) contain conditions that you shall teach the trade, and maintain the poor?—Certainly not. The first charter does not say a word about it.

2532. You mean the charter of 7th Henry VI.?—Yes; and I doubt whether any of our charters involve any duty of teaching the trade; I do not recollect it.

2533. We shall have them in full, and shall see. Then on page 15 you say, "These charters were "abolished, and annulled by the Act of 2 William and "Mary, session 1, cap. 8, which gave a parliamentary "sanction to the status of the Company as it existed "before the judgment on the writ." Do you contend by that paragraph (which is somewhat obscure) that you are in a stronger position now than you were before William the Third?—I consider that the Act of William the Third places the Company in the same position as if the writ on the *quo warranto* had never been issued, and that it recognises by a Parliamentary title, I think I may say, the previous status of the Company.

2534. But with all the conditions under which it existed?—Subject to any conditions, no doubt, so far as they were legally binding.

2535. The exact words were, that all and every of the companies should stand and be incorporated by such name and names and in such sort and manner as they respectively were at the time of the said judgment given. Therefore you rest your case upon your old charters?—I do not admit that entirely.

2536. On page 19 you deal with the question of the refractory companies' decision?—Yes.

2537. Is that published anywhere; where is it to be seen?—It is to be seen in Baron Heath's History of the Grocers' Company.

2538. You state that that is a work which has been published; has that work ever been published?—I do not know whether it could be publicly bought. There is a copy in the library of the Reform Club, if you desire to see it. I sent one there myself.

2539. When?—Many years ago the club possessed a copy of the first edition, which I afterwards exchanged with the consent of the library committee for a copy of the third edition, which is more perfect.

2540. Herbert says it is not published. I should like to have a copy?—But Herbert, which you have, tells you that that decision was reversed; that is the decision in Plumbe's case.

2541. The decision about the refractory companies?—Yes.

2542. Perhaps you have not heard that that decision is one that is held to be of doubtful authority?—I should have thought that the Lord Chief Justice and four judges being unanimous it could hardly be of doubtful authority.

2543. That did not give the assistants the election of Common Hall, if I recollect rightly, it is many years ago since I read it in the Guildhall library?—No, but it is important; the words are important.

2544. What are you going to read from?—This is Baron Heath's History of the Company.

2545. (*Chairman.*) Is there a report of this case to be found anywhere but in Heath?—It refers to Payne's "Treatise on Municipal Rights," and also to the London Magazine for July 1775. The Lord Chief Justice de Grey says, "Thus far we know, that the "constitution of the City of London does not contain "these companies, I mean originally and from their "charters, and all prescriptive rights; it is by subsequent accident that they came now to bear the "relation they do to their companies as livery. The "livery are not formed out of their corporate body; "for whatever their constituent parts, their obligations, duties, powers, customs, and rights are, either "as altogether, or as individuals, they are no part of "the City customs or rights, but a subordinate, detached, and independent body, I mean independent "with regard to the original constitution."

2546. (*Mr. Pell.*) That is a sort of *obiter dicta*, is it not; it does not form part of the judgment?—I certainly understand it to form part of the judgment.

2547. (*Mr. Firth.*) Have you before you Herbert on the City Livery Companies in 1635, in which he says, there is no doubt they are a branch of the Corporation?—Yes, but I think Herbert is full of mistakes.

2548. Still he was the City librarian, and one must get a standard somewhere. The quotation you give in answer to what Mr. Beal read, and in answer to my question, was in connexion with a petition to the Crown?—Yes.

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2549. (*Sir Sydney Waterlow.*) And the City in their petitions to the Crown all through last century and through this century have treated the livery companies as being part of the Corporation of the City, has it not?—The City has treated the companies so?

2550. Has regarded them so and spoken of them so in the petitions?—I think that is very likely. I think for ceremonial purposes that may be so.

2551. (*Mr. Firth.*) There is only one question that I should like to ask you further upon this statement, that is on page 24, you say that you sold your Irish estate. I notice in the Irish Society's accounts for last year there is a 20*l.* quit rent still payable to you; is that in respect of the land?—I am informed that the purchaser pays that 20*l.* a year to the Irish Society under covenant with the Company.

2552. And on page 9 you say the price realised was 157,256*l.* What year was it sold in?—1874 to 1876, I think.

2553. Does that amount appear in your report, if not, can you tell me what was done with it?—It is invested in the names of the wardens for the Company.

2554. With respect to the Company's balances, I should like to ask you a question. I find that their very large balances are thus carried forward from year to year. They are on page 39 of your first report, "a return of the balance of monies, 11,969*l.*, 8,272*l.*," and so on. Are they carried forward or divided amongst the members, or what is done with them? I cannot trace out what is done with them from these accounts. It says, whether they can be considered as unappropriated is at least doubtful, but the balance remains to meet the demands upon the Company?—They are simply carried forward to the income of the following year.

2555. Do I understand that where you have given the income you include or exclude the balances?—I think the balances are excluded; but I would not be sure about that.

2556. You must have done; you give us your income under various heads, and none of them are in that. "Rents, dividends, &c., Irish estate, Vintners' "Company, interest on Irish mortgages, Forden, "fees, and fines, miscellaneous." That is the reason of my question?—Mr. Ruck, the clerk of the Company, explains to me (but I will look into the matter) that the balances are excluded from the gross amount received for rents.†

2557. I should like to ask you some questions on a point that Sir Sydney Waterlow questioned you about; that is, as to the apprenticeships. You have apprenticed about 180 people in 10 years; has any one of those been apprenticed to a grocer?—Do you mean a grocer by trade?

2558. Yes?—I cannot say. There are some members of the Company probably who might come within the term "grocer by trade."

2559. Have you any objection to sending us a form of indenture?—No.

*2560. Then leaving that question, do I understand that in your company a boy with all the form and solemnity of oath, and so forth, is apprenticed to a member, they do not live together and never have any connexion the one with the other, notwithstanding that the one has undertaken to teach the other the art and mystery of a grocer; is that so?—Mr. Ruck tells me that no oath is taken.†

*2561. Well, a declaration; it used to be an oath?—I should say for myself and other members of the Company that we should consider it our duty to look well after our apprentices. If I took an apprentice I should consider myself responsible for him.

*2562. Would it not be competent for your son to be apprenticed to a clergyman in Yorkshire under the arrangement of your company?—If I thought fit, and the clergymen consented, it might possibly be so.

*2563. And he could live in London?—That might happen if his master allowed it; I should not do it.

2564. I want to ask you what the use of your livery now is. From a statement on page 29 of your report I find that they have three functions, first, a parliamentary vote; secondly, four dinners in the year, with a box of sweatmeats; and third, a municipal vote; is there any other purpose for which they exist?—They are the body from whom the court is recruited.

2565. There is no other purpose?—That is the most important purpose.

2566. Are these accounts open to the livery?—Not of right.

2567. Have the livery of the Grocers as a body ever seen the accounts to this day?—Certainly not as a body, not within my knowledge. I should add that the livery have never asked to see the accounts within my knowledge.

2568. On pages 29 and 30 you say that you give about 4,000*l.* a year in pensions, are any one of those persons to whom you give pensions grocers by trade?—Not necessarily.

2569. To your knowledge?—I will find out for you if you wish to know; I cannot say of my own knowledge.

2570. Will you tell me on what principle they are selected, is it a matter of simple patronage?—Certainly not. The Master and Court of Wardens look very carefully indeed into all the circumstances of each person.

2571. (*Sir Sydney Waterlow.*) Referring to the question last asked with reference to pensions, are the persons *qua* grocers by trade or *qua* grocers as members of the Company?—*Qua* grocers as members of the Company.

2572. Did I understand you to say in answer to a question that a gentleman may be free and have the livery of your Company without being free of the City?—I believe we make it a condition precedent to his being a liveryman that he shall take up the freedom of the City.

2573. Is it not a fact that having taken up the freedom of the City he has to go to the Guildhall to get the freedom of the City before you grant him the livery of the Company?—I believe that is the practice of the Grocers Company.

2574. Then as a fact you do not admit a man to your Company until he has become, to a certain extent, a member of the Corporation of the City of London?—Oh, yes, he is a member of the Company as soon as he is a freeman.

2575. Then you do not admit a man to be a liveryman of your Company until he has first, as a condition precedent to his admission, become a member of the Corporation of London by becoming a freeman?—That is the practice, I believe, of my Company.

2576. Then upon that same question are you aware that in all the processions of the Corporation to the judges at Westminster when they come to claim their rights annually they are always attended by a certain number of the members of the Livery Companies in coaches, such members being appointed by the Companies themselves?—The Grocers' Company certainly never take any part in that.

2577. You are not aware that other Companies do?—I believe that some other Companies do.

2578. Then passing from that, may I ask you if

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† The Company's Return, Part IV., H., gives the actual income of certain years, excluding the balances either way. If the balance carried forward to any given year had been returned as part of the income of that year, the income of the year would have appeared too large by the amount of the balance carried forward to the following year.—J. H. W.

* As to the question of apprenticeship, *see* the note to Question 2252.—J. H. W.

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premiums are paid on the apprenticeship of apprentices at your Hall, that is to say, are premiums ever paid to the master who takes the apprentice?—No premium is paid, so I am informed by Mr. Ruck.

2579. Then did I understand you, in answer to a question, to say that, as far as you know the history of your Company, the Corporation have never levied sums of money upon it?—I am not aware of any compulsory levy.

2580. Did not the Corporation levy the sum 4,200*l.* between the years 1608 and 1610 for the purpose of paying for the colonisation of the province of Ulster? —I think it was rather the Crown that levied it in that case. The Corporation was the hand that received the contributions from the Companies, but the contribution was called for by the Crown, as I understand

2581. Was it not that the Corporation entered into a contract with the Crown, and not having the money themselves levied it from the Companies, each of the twelve Companies paying their share or finding their share?—I believe it was one transaction, but I have no very accurate knowledge of the circumstances.

2582. Did not your Company receive, in consideration of their contribution towards the expenses of colonisation, a portion of the confiscated lands which formed your Irish estate, but which you sold ultimately? —Undoubtedly.

Adjourned to Wednesday next, at 4 o'clock.

SIXTEENTH DAY.

Wednesday, 7th March 1883.

PRESENT:

THE RIGHT HONOURABLE LORD COLERIDGE, IN THE CHAIR.

HIS GRACE THE DUKE OF BEDFORD, K.G.
THE RIGHT HON. VISCOUNT SHERBROOKE.
THE RIGHT HON. SIR RICHARD ASSHETON CROSS, G.C.B., M.P.
SIR NATHANIEL M. DE ROTHSCHILD, BART., M.P.
SIR SIDNEY H. WATERLOW, BART., M.P.
MR. ALDERMAN COTTON, M.P.
MR. PELL, M.P.
MR. WALTER H. JAMES, M.P.
MR. JOSEPH FIRTH, M.P.
MR. THOMAS BURT, M.P.
MR. H. D. WARR, *Secretary.*

Deputation from Goldsmiths' Company.

7 March 1883.

The following gentlemen attended as a deputation from the Goldsmiths' Company:—
Sir Frederick Bramwell, F.R.S., and
Mr. Walter Prideaux.

2583. (*Chairman to Sir Frederick Bramwell.*) I understand you attend on behalf of the Goldsmiths' Company, and that you desire to offer some observations on their behalf?—I do, in company with Mr. Prideaux. Those observations your lordship has also in print, I believe.

2584. Yes, I have read them.—We desire and trust that they may be taken as having been given here as oral evidence.

2585. Have you anything to add to this statement?—Nothing has occurred to me since that was drawn up. I do not know whether anything has to Mr. Prideaux.

2586. You will understand me as wishing my questions not to take the shape of cross-examining you, because I do not wish to do so; I have no desire to do more than to possess the Commission and myself of exactly what I understand to be your contention; as I understand, you contend that the great bulk of the property of the Goldsmiths' Company is absolutely their private property; is that so?—Yes.

2587. And that it is subject to no legal restraint whatever?—Yes.

2588. And might, if the Company chose, be divided amongst the members of the Company to-morrow?—Legally, I presume it might be. I have not in the slightest degree suggested that anything of the kind would be done.

2589. Neither do I suggest it; I only say that it might be so, according to your view.—I hardly like to talk law to your lordship, but certainly that is our view; and I am fortified in that by the opinion of the Lord Chancellor, with whom I had the honour of attending the Commission on a former occasion.

2590. I suppose your legal position, in your view, would be the same if the Companies, or your Company, had 10 times or 20 times the amount of property that they now possess?—That is so.

2591. Or if they owned half England?—Or if they owned half England. It does not appear to me that the fact that I have got something which is doubly coveted, makes it doubly the property of somebody who would like to get it.

2592. And in your view, the State would be guilty of spoliation, as I understand [" confiscation," I think, is the expression that you make use of], or something approaching to confiscation, if in the general interest it interfered with the holding of property on the part of any one, however exaggerated and large that holding might be?—I should certainly think so. It is the first time I ever heard it suggested that there should be a limit to the property held by an individual.

2593. I suggest nothing.—I will not say that your lordship suggests it. It is a new proposition to me that there should be a limit to property held in one person's hands.

2594. Even when those lands are mortmain?—I believe so; but as these are legal points, I should prefer your lordship would allow Mr. Prideaux to break in and give answers upon these matters.

2595. I only want to know what is the extent to which you push your view.—The extent to which I push my view is that which your lordship has stated, viz., that the property is legally ours, except that part of it on which there are direct trusts.

2596. And that the right of the State to interfere, is neither more nor less in the case of very large properties held in mortmain than it is in the case of very small properties held in the hands of private persons?—Upon that point I should be glad if your lordship would allow Mr. Prideaux to answer. So far as I am competent to express an opinion, I should say "Yes" to that, but if Mr. Prideaux might answer it I should be glad.

2597. (*Sir Richard Cross.*) As I understand, you consider that it is the origin of the property more than the size of it which you have to look at, that is to say, how you got the property?—How we got the property. It appears to me to be a somewhat dangerous doctrine to say, "I will consider whether this "property is large or small, and if it is small you may "keep it; if it is not I will consider whether it shall "not be taken from you."

2598. (*Sir Sydney Waterlow.*) Do you know what proportion of the property held by the Goldsmiths' Company consists of property formerly held for superstitious uses, and which was purchased by the Goldsmiths' Company from the Crown in the reign of Edward VI., and the holding of which was confirmed by the present Act of 4 James I.?—I know it by referring to the Returns. But if you will be good enough to allow Mr. Prideaux to speak upon that point, he can do it with more particularity than I can.

2599. May I ask you whether your Company has, since the establishment of the Charity Commission, applied to the Commissioners for any scheme of alteration of the administration of your settled charities?—I know as a matter of fact that they have, but again I would refer to Mr. Prideaux for the detail.

2600. Now I turn to another subject. In your observations you state that at the commencement of this century the income of the Company was very small. Can you inform us what it was at any earlier period, say five or six centuries ago?—I cannot; but again I refer you to Mr. Prideaux.

2601. May I ask you whether you consider that there is, or is not, a very close connexion between the Livery Companies and the Corporation of London?—I should have thought it but a remote connexion.

2602. You are probably aware that as late as the 14th century the Livery Companies appointed the common councilmen, each Company sending so many?—I was not aware of that; I am speaking of the present connexion.

2603. Then as to the present connexion, you are aware that the Livery Companies appoint the Lord

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Mayor, I suppose?—I am aware that they vote, I think, for two aldermen, and the Court of Aldermen from them appoint the Lord Mayor.

2604. Is it not that they can vote for any two aldermen of the 26, although custom has led them to select two in rotation?—I believe so, but it is not in their power, as I understand, to appoint which of those two shall be Lord Mayor.

2605. No; they must select two from the 26, must they not?—Yes.

2606. And the aldermen must elect one of the two?—Yes.

2607. Then practically they appoint the Lord Mayor, do they not?—Yes; but in my judgment they do not do that as liverymen but as freemen, that is to say, suppose a man is a liveryman of a Company and not a freeman of the City of London, he does not appoint, and that is why I say the connexion is a remote one. My opinion is subject to correction, but I believe that if a man be a liveryman of a Company and not a freeman of the City of London he has no voice in the election of Lord Mayor.

2608. Precisely so, but as a matter of fact are not 99 out of every 100 freemen of the City of London as well as liverymen?—That I cannot tell you. I cannot say what the proportion is, but I do know of instances where there are men who are liverymen of Companies, who are not freemen of the City of London.

2609. Precisely, but is it not a fact that unless they are free of the City of London they cannot exercise the privilege of voting as liverymen in the Parliamentary elections?—I do not know how that is. I am not aware that that is so, but I am speaking now in reference to the voting for the election of Lord Mayor.

2610. Then will not that lead you to the conclusion that the large majority of the liverymen are free of the Corporation of the City of London?—I think the large majority probably are.

2611. And that they have the sole right of electing the Lord Mayor?—In the manner I have mentioned.

2612. And the sheriffs?—I believe so.

2613. From all qualified persons?—I believe so.

2614. And the Chamberlain and Treasurer of the City of London?—I do not know whether they have the right of electing the Chamberlain, but the bridge masters, I believe, they have.

2615. Have not the Court of Aldermen as a part of the Corporation a very large power of control over the persons who are admitted to the Companies as liverymen?—I was not aware that they had any.

2616. Have you not known orders made from time to time directing that persons should be regarded as members of particular companies?—Not to my knowledge.

2617. I have here three extracts from the proceedings of the Court of Aldermen. The first is, "Upon "the application of William Charles Woollett, who "was bound apprentice to Frank Singer, citizen and "grocer, and duly served him seven years, but having "contracted matrimony within the term, could not "obtain the freedom of this city, and therefore prayed "to be admitted into the Company of Grocers; it is "ordered that he be admitted into the freedom of "this city by servitude, and in the said Company of "Grocers." Is it not a fact that these records occur at almost every Court of Aldermen?—That I do not know, and I do not know even if they do how far they are operative. I am perfectly aware that by the custom of our Company when a man has contracted matrimony during his apprenticeship there is no objection to his being made a freeman of the Company, but I am informed there is an objection to his being made a freeman of the City; which objection the Court of Aldermen has power to do away with; but although it may be competent to them to order that he shall be made a freeman of the City, I do know that it is not competent to them to order that he shall be made a freeman of the Goldsmiths' Company.

2618. I will not trouble you by reading any other extracts, but you may take it from me that I have many others, and that the same thing occurs in all of them?—I take it that the Court of Aldermen are in the habit of making such resolutions, but how far they are operative in that part which relates to the Companies I must leave to those who know more of the subject than I do. It certainly is new to me in respect of the Goldsmiths' Company.

2619. Looking at the fact that the liverymen of the City of London appoint these important officers of the Corporation, the Lord Mayor and the others, do not you think that that shows a close connexion?—No, that is what I call a remote connexion. I should like to explain precisely what I mean by it. As I understand it they only appoint if they are, as I have said, freemen of the City; and it appears to me perfectly reasonable, and that the Corporation may have said, "We have a number of freemen—we will not "have the whole of those as electors, but we will "have so many of them as happen to be liverymen "of companies, as giving them a status." But that does not appear to me to be a very close connexion. I believe that is the only connexion, and that does not appear to me to be a very close one. If I may put this illustration; I am a visitor of the Cooper's Hill College. The authorities of Cooper's Hill College choose that I and certain other gentlemen shall be visitors of that college; but I do not think that that gives me a close connexion with Cooper's Hill College.

2620. May I put the proposition the other way. Instead of liverymen appointing the officers of the Corporation, suppose the Corporation appointed the master and wardens, the accountant, the beadle, and the clerks of the livery companies, would not you think that a very close connexion?—Yes.

2621. Is it not a fact that the liverymen appoint the lord mayor, the sheriffs, the treasurer, and the other officers similarly?—No; to my mind certainly not, because I have given you this reason, they do not appoint as liverymen but they appoint as freemen, which to my mind is a great distinction.

2622. May I call your attention to what the chairman has already referred to. They do not as liverymen meet in Common Hall, but is it not a fact that lists are furnished to the beadle to see that none other than liverymen enter the Hall, and is it not the rule also that none other than liverymen shall enter the Hall?—But, Sir Sydney, you appear to overlook that which I point out as a great distinction that although it may be the fact that none other than liverymen shall enter the Hall, it is equally the fact that liverymen who are not freemen shall not enter the Hall. That is what I am pointing out.

2623. Because a liveryman who is not a freeman is not a perfect liveryman?—That I cannot assent to for one moment.

2624. He has not all the rights and privileges, has he?—Yes, he has all the privileges of a liveryman according to my view.

2625. He cannot vote as a liveryman if he is not free of the city, can he?—He can do all that a liveryman need do within his own company, but he has not the right to vote because he is not a freeman of the City of London.

2626. You admit that he cannot vote?—He cannot vote; that is not one of his privileges as a liveryman, but one of the privileges of a liveryman who happens to be a freeman, which is a very different thing.

2627. Do you consider that the Livery Companies and the Corporation have kindred rights and privileges in common, which they hold by charter or by prescription from the Crown?—I am not able to answer that question, because I do not know what the rights of the Corporation are. I should think it is very likely they may be different interests, and not interests in common, but I am not able to say. That is the short answer.

2628. Is it not a fact that three or four of the liverymen, sometimes more and sometimes less, proceed with the Corporation of London periodically to claim from the Crown all the rights, privileges, and immunities of the City of London?—That I would rather not answer, I not being able to tell you.

2629. I will call your attention to the last occasion, the 9th of November last, do you think it possible that the Goldsmiths' Company could have appointed a deputation for that purpose without your knowing it?—I do not know to what you allude. I do not know what deputation you speak of.

2630. Have you not appointed a deputation to join with the Corporation in claiming the rights, privileges, and immunities of the City?—I have not sufficient information upon the matter to answer you. I leave that to Mr. Prideaux.

2631. Then I will disclose more clearly what I mean. I have in my hand here an account of the proceedings of the 9th of November last, and I find, among other companies, that the Goldsmiths' Company attended on that occasion by their master, their warden, the clerk of the Company, the beadle of the Company, members of the Courts of Assistants in carriages, and their banners, to form part of the procession proceeding to the Barons of the Exchequer to join with the Corporation in claiming from the Crown the rights, privileges, and immunities of the Corporation of the City of London?—I do not know what it is that they claim from the Crown at that time, or whether they join in that claim at all. That they join in the procession may be the fact, but that may be done to do honour to a person or a body of persons without being associated with that body.

2632. Is not the legal object of the procession to claim the legal right, privileges, and immunities?—I do not know; that I leave to Mr. Prideaux. The "legal object" I do not know. I thought the object of the procession was to keep up an old custom which was very much liked by a good many people.

2633. Is it the custom for apprentices to be bound in the presence of the master and wardens at the hall of the Goldsmiths' Company to members of the Goldsmiths' Company?—Yes.

2634. Are the persons who take the apprentices, as a rule, goldsmiths by trade?—Not as a rule; but very many of them are. They all are in the sense, of course, of being freemen of the Goldsmiths' Company, but if you mean goldsmiths by trade——

2635. I mean goldsmiths by trade?—Then, certainly not, but very many of them are.

2636. Should you think one fifth of them are?—Yes, more I should say.

2637. More?—Yes, I believe so.

2638. Then some of them are not?—Some of them are not.

2639. Do they bind the apprentices under the ordinary form of the City indenture?—I do not know what the form of the City indenture is.

2640. Mr. Prideaux has it in his hands?—I was bound, but it is a good many years ago, and I have forgotten the form of my indenture. (*A document was handed to the witness.*) "This indenture witnesseth that (————) doth put himself apprentice "to (————), a citizen and goldsmith of London, "to learn his art of" so-and-so.

2641. That, I think, is delivered under seal, is it not?—Yes, I believe so.

2642. And is witnessed by the clerk of the Company?—Yes, I presume so.

2643. Then in the case of persons who are not goldsmiths, how does the Company get over being parties to a document under seal which they sanction by their presence and which it is impossible for either party to perform?—I do not see any impossibility; the obligation is not that he is to teach him the art of a goldsmith.

2644. Yes, surely it is?—I beg your pardon; the obligation is that he shall teach him the particular art that he himself follows.

2645. Is it not the "art and mystery of a goldsmith"?—Certainly not.

2646. Then do you say that a person who may be a tallow chandler and a liveryman of your Company, if he takes an apprentice, is to teach him the art and mystery of a tallow chandler?—A freeman of our Company.

2647. May he take an apprentice and bind himself to teach only the mystery and art of a tallow chandler?—Yes.

2648. Then do I understand, as to the apprentices taken at Goldsmiths' Hall, that the parties who take them are in a position to teach them that which they undertake by indenture?—Yes, and we never allow a man to take an apprentice unless he really *bonâ fide* intends to teach him the particular business that he himself carries on.

2649. I am very glad to hear it, because the last witness we had on this subject gave entirely different evidence?—Not with respect to the Goldsmiths' Company.

2650. No. I know there are other companies in a similar position to yours; at the same time we know there are others in a very different position?—Certainly.

2651. Some of the representatives of companies who have attended before the Commission have verbally, and some of them in documents laid before us, expressed an opinion that it would be fair for the Livery Companies to pay succession duty in some form or other, either by an annual payment or by some compensatory payment in a form to be agreed upon. May I ask whether, speaking for yourself, or for the Company, you coincide with the opinion which has been expressed by the other companies in that respect?—We do.

2652. And looking at the fact that the property descends in the Livery Companies partly by patrimony, and sometimes to strangers, should you consider that half the duty payable by strangers would be a fair amount to take, or would you rather not express any opinion as to the amount?—I would rather not express any opinion as to the amount. I have not studied the details of the question, but the principle I think would be fair that something as representing succession duty should be paid.

2653. It has been suggested before the Commission that it might be advantageous, and that it might not be objectionable if the Livery Companies filed accounts of their corporate property with some Government office, the same as Fire Insurance Companies file their accounts, and for the same reason, because every Company, although they hold their property by the same rights as private individuals according to their own claim (which I do not wish to dispute at present), hold it also in trust for those members of their body who come after them. May I ask whether, under those circumstances, you would think it objectionable if they had to file a copy of their accounts with some Government office?—I should think it undesirable and unnecessary. I am not asked to file a copy of my accounts for income tax. People take my word for it. If I make a false return I get into trouble; and in the case of succession duty also, it appears to me it might very well be that the Company should make their own return with the liabilities which attach to a man who makes a false return as to his income.

2654. Then in fact, you think it would be sufficient simply to give the same kind of return as that which is given to the Income Tax Commissioners now?—I should have thought so.

2655. (*Mr. Pell.*) You state I think in the returns of your Company that the trust funds applied to charitable purposes amount to something like 10,000*l.* a year?—Between 9,000*l*, and 10,000*l.* a year.

2656. We will take them at about 10,000*l.* The application of those funds I suppose is limited to persons who are in some way connected with the Company?—I am not quite sure that that is so in every instance, but of course it is limited to the class of persons designated in the trusts.

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2657. Could you at all say what the number of persons is to begin with among whom this 10,000*l.* a year is distributed by way of charity ?—You have the actual returns of the numbers. I can refer to the returns.

2658. I tried to make it out from the return, but I could not ?—A matter of minute detail of that kind, if you please, I would rather leave to be answered by Mr. Prideaux.

2659. If you could give it me within a score or even within a hundred I should be glad ?—I could only do it by referring to the return. I do not keep it in my mind.

2660. It appears from the return to be about 326, at all events may we take this as an answer, that this sum of 10,000*l.* a year is distributed among persons who are directly connected with the Company as freemen's children, it does not go beyond that, does it; the charities are not general, are they ?—No, generally not. They are generally the poor of the Company; but I think you will find in certain charities, especially the Blind Charity, if I am not mistaken, Mr. Prideaux will correct me if I am wrong, that it is not confined to the poor of the Company.

2661. You do something for the Blind Charity I know ?—I mean for individuals; I do not mean in donations towards the Blind Institution or anything of that kind, but pensions to individuals.

2662. I do not know who prepared this abstract of the tables of your Company, but I suppose it is taken from your own returns. I am reading from that abstract which is taken from the returns of the Company, and it is stated there that "the advantages of membership consist to freemen in the prospect of charitable assistance" ?—I think it states something more than that.

2663. "For themselves, their widows, and daughters" ?—Yes, that is a paraphrase. I have got the actual return before me.

2664. I will ask you this question, do you consider that to be an advantage to a man starting in life, to select his line of life with reference to the prospect of receiving at some period of it a very large amount of charitable assistance ?—Yes, I certainly do, and I should like to give my reason for that answer. If a man falls into poverty unless he gets relief of this kind, or unless he has got relatives who can relieve him he has nothing but the poor law to fall back upon. Now you cannot have a first and second class poor law, and to my mind there is nothing so shocking as the position of people who have been better off, and who are left to the relief which must expose them, if they go into the workhouse, to associations which in themselves are simply terrible to people of this kind. I will put it in this way, a man falls into trouble who has a brother in a good position; what would be thought of that brother if he did not help him ? He would be thought very badly of, all political economy apart. Another man falls into trouble who has got no brother. What is the objection to the last one being dealt with as though he had a brother and raised up ? I know that people say it tends to cause habits of carelessness and things of that kind. I do not think that for one moment, and I do not think for one moment that when a man comes into these Companies he comes into them for purposes of relief, and if it is not taking up the time of the Commission too long I should like to give two instances where the establishment of a means of relieving members has been found to be a necessity. I belong to the Institution of Civil Engineers, a body that is 65 years old. For a long time they had no benevolent fund. I do not want to arrogate to myself the credit, but it is a fact that 17 years ago I got that fund established. It has existed now for 17 years, and the result is that we give secret relief to our members. We enable them to tide over their difficulties. No one except the Committee knows who has had the relief and it has been of the very greatest benefit. But I think I may refer to Lord Coleridge, when I speak of another profession, and one of which he is an ornament, the members of which some years after the establishment of the Civil Engineers' Fund found it necessary to institute the very self-same kind of fund in connexion with the Inns of Court. I look upon this as one of the things which is of a most desirable character.

2665. I want to call your attention to the advantage stated to consist in the prospect of charitable assistance. Now I will ask you to direct your attention not so much to the end of a person's life as to the beginning. I suppose that which stimulates human beings very largely to exert themselves is the knowledge that unless there is some interfering agency of this sort they will suffer for it at the end of their lives if they do not do the best they can for themselves ?—Well, it is a low stimulus; however, it may be a stimulus.

2666. Is it not, at all events, a natural stimulus ?—It is one, but I should hope that the absence of it would not prevent a man from doing his duty, to use the words of the catechism, in that station of life in which it has pleased God to place him, but one has a better chance under such circumstances.

2667. I ask you whether it is not a natural stimulus; one that is inherent in all men ?—Yes, it is one, no doubt. I should like, if you please, to have the exact words of our return which do not appear to be in the paraphrase which you have there. May I read them ?

2668. By all means ?—"A freeman of the Company has no advantages, as such, except that if he be a deserving man and in need of pecuniary assistance he is eligible to receive, and would certainly receive, aid from the Company, either by pension or donation." I must say that when I took up my freedom I did not do it with the object of at some time obtaining pecuniary relief from the Company, and I trust I may never have occasion for it.

2669. I suppose you would admit, would you not, that a great many members do connect themselves with a Company with that view ?—No, I do not believe it. If you will let me put it to you I would do so in this way: he cannot connect himself with a Company unless he be eligible to take up his freedom from patrimony, eligible to take it up from servitude, or else that he is sufficiently well off to purchase it.

2670. I think you state in your returns that the Company is under some apprehension as to the effect of this enormous sum which is spent in this way, and the probabilities of its increasing very much ?—Would you be kind enough to refer me to the statement to which you allude ?

2671. It is page 14 of the Return of the Company, you say "An examination of this Return will show that four fifths of the income of all the charity property vested in the Goldsmiths' Company is applicable to the poor of the Company"; and then, furthermore, it is stated that an addition is made to that. I suppose out of the corporate fund, as if that was not quite sufficient; and then, "No deserving member of the Company, no deserving widow, or unmarried or widow daughter, of a freeman falls into poverty or decay without receiving on application to the Company pecuniary assistance." Then further, I think you, or the Company, or whoever wrote this for you, say, "The number of persons applying for pecuniary relief, however, diminishes year by year, and the time may probably come, when the improved annual value of the Company's trust property and a diminution of the number of persons requiring relief, will render it desirable for the Company to take into consideration the expediency of applying some portion of the income of the trust estates under a scheme to be approved by the Charity Commissioners, in a manner different from that provided by the wills of benefactors." Do you agree with that ?—I agree with that, certainly.

2672. Does not that imply some apprehension in the minds of the Company, or whoever wrote this, that some mischief, if it has not already come to the society by this distribution of money, may come either by the funds that have to be applied to this purpose becoming so very very much larger, or by the number of applicants becoming fewer?—I do not see any apprehension whatever. We have certain Trust funds which at present very nearly satisfy the demands upon them. The applicants it appears are becoming fewer and thereupon we say when that stage of things arrives, we will go to the Charity Commissioners for a scheme for the appropriation of such funds as we have not applicants for according to the present scheme; I should have not applied the word "apprehension" to that, I should apply "foresight" or "forethought," or any other term indicative of good management.

2673. The number of applicants who receive relief if I understand you, I do not know whether I gather that from this return, would depend upon the character that they bear?—The number does not depend upon the character; that is to say if you have a sufficient number of good character and sufficient funds to relieve them, and also the other conditions as to age; but we make the strictest possible inquiry into the character of the applicants by personal visits and examination of every kind and description, and no person not of good character gets relief or keeps a pension, for these are only given during pleasure.

2674. Therefore this relief does not go to the poor of the Company generally, but to so many of the poor of the Company as the Company thinks have a sufficiently good character to entitle them to receive it?—Quite so, it is not lavished upon unworthy objects. It is lavished upon those of good character who need it, or rather not lavished but spent.

2675. With reference to the old term with which we are so familiar "the deserving widow" and "the deserving poor," I am curious to know what is the standard of a deserving person in your Company and how you arrive at the test you apply?—Here is a book (*producing same*) which comes before the Court when the matter has to be considered, and if you will be good enough to open it anywhere you will find the amount of information that we insist upon having before any relief whatever is given.

2676. I will take the first case?—Here is another book of men's cases (*producing same*).

2677. "Fanny Wall age 56, the unmarried daughter " of a freeman, and she is at present residing in Wales " with her friends and dependent upon them and the " donation from the Company." Did she come up from Wales to satisfy you or those who examined her as to whether she was deserving or not?—I do not know that she came up from Wales, but you will see by the reference there that that must have been not a first application.

2678. I took this quite by chance?—Quite so, and you see the words "and the donation from the Company." It is clear, therefore, that she had applied on a previous occasion.

2679. May I ask has that woman ever been seen, has she ever been up to London to give any account of herself, or how did you ascertain that she is deserving?—I cannot tell you whether that particular woman ever came up. Those who reside in London certainly are seen, and in many cases we pay their fares to come up to London, but one is content to take a good deal of evidence from the parson of the parish and persons of that character.

2680. You fall back upon the clergymen?—Yes.

2681. Is his opinion invariably taken with reference to these people?—I do not know about "invariably taken," but if I get a recommendation from a clergyman of the Church of England, or any other minister, I think I have a very good foundation to start from.

2682. That a person was deserving?—I say I think that, if I have got a recommendation from a clergyman or any other minister, I have a good foundation to start from. But we should not limit ourselves to that. We should not say at once that having got the recommendation that precludes all inquiry; on the contrary we make every inquiry.

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2683. Supposing the father of this woman had been an improvident man, and she herself had perhaps not done the best that she could have done for herself, would that be taken into consideration, would that affect her character as a deserving person?—As far as her own conduct was concerned, unless there had been reform, that would be taken into consideration as affecting her character. As far as the sins of the parents are concerned we should not think of visiting them upon her.

2684. You do not visit the sins of the parents upon the children?—No.

2685. Now as to the deserving widow, take a case of that sort—suppose the husband had been an improvident man and had made no provision for the widow, what view would you take of such a case as that?—We should inquire into the character of the woman herself, and if we thought that she was doing all that she could and struggling to keep herself, as these poor creatures do, trustworthy, honest, sober, and respectable, we should not visit her husband's sins upon her.

2686. You would not go so far as to inquire whether she, during her married life, had tried to check her husband?—No; I should think that those are details which one could hardly go into. All I can say is, that we make a very exhaustive inquiry.

2687. As long as she is a deserving widow you are content; if she had not been a deserving wife it would not be a matter of so much importance?—I cannot help thinking that that is a technical criticism. As long as she was a deserving woman and in a state of widowhood, we should relieve her. If she had been a very unsatisfactory wife, and there was no great change since, we should not relieve her. I should like to put this case to you. I will not mention names, because these reports are printed, but in my young days you could not take up a pack of cards without seeing the name of a particular card maker upon it, a man in very good business indeed, who was a freeman of this Company. That man died, his business fell away, he left children without any sufficient property; the little that they had dwindled year by year, and at the present moment one of his daughters (who, I should think, is 75 years of age) is living, having been brought up in the better middle class with all its associations and surroundings; and there is nothing but this Company between that unhappy lady and the workhouse. Now that is my notion of a deserving case, and such as that these companies very properly relieve.

2688. Where does that unhappy lady live now. Does she live in England?—Yes.

2689. What part?—In London.

2690. In the City?—No; she cannot afford to live in the City; she lives in the suburbs.

2691. Has she no one to lend her a helping hand? —She has no one to lend a helping hand. Every one who would have done so has died off. I know the family.

2692. Is that very creditable to the community in which we live?—I think it would be very discreditable to the community if the work which is done by bodies such as these companies (which is very often difficult work) were left to be done by private individuals.

2693. I think there are about 1,000 freemen, are there not, in your Company?—It is a matter of estimate by an actuary, but that is what is supposed.

2694. About 1,000?—Yes.

2695. And out of that number does it not appear from this return that you have something like 300, or more than 300, persons in receipt of charity which, as far as I understand you, is required to find the necessaries of life, because I understood you to say with respect to this widow (which we take as an example) that it was not for any little luxury or any little amenities of life that these charities are formed, but absolutely to keep her from the workhouse?—To keep her from the workhouse.

2696. And to provide her with bread?—30*l.* a year, which I think is about the very outside amount that

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we give, will not provide very many luxuries even for one woman.

2697. Does it strike you that there is an unusually large amount of destitution in connexion with this number of 1,000 and odd freemen, something under 1,100 ?—I do not know that there is, having regard to the fact that they belong to the artisan class, they have kept themselves during their lives without being able to save much, and then they have come to us in old age, some of them paralysed and blind, and otherwise incapable of work.

2698. Have not you in that answer made a great reflection upon, and one that is most damaging to, your own craft, namely, that these people have been employed, as I understand you, by goldsmiths, and have received such inadequate wages that they have not been able to lay anything by for future sustenance ?—I cannot help it if that is the course of trade. I am not here to state what is the course of trade.

2699. Surely it must be so; either the employers of these people have been paying proper wages (I am talking of the whole craft. I am not going to take one particular case), and those who have received the wages have been improvident, which, I think, is not unlikely with the temptations held out before them by these charities, or, on the other hand, that your craft themselves who are goldsmiths have been paying inadequate wages in the hope that the charities of the Company will at the end of life make good that which ought to have been supplied by the employers in the beginning ?—To begin with, your fraction is entirely wrong; you put down as the numerator of the fraction of which the denominator is the whole number of freemen, all the wives, widows, and daughters as well as the actual freemen themselves. Now if you will but eliminate those and take the number of freemen receiving relief as the numerator, you will see that your fraction is a very different one indeed.

2700. Perhaps I am not well informed ?—We have no free women.

2701. I thought the daughters were begotten by freemen ?—They do not count among the 1,000. You have a numerator and a denominator. The denominator is 1,000. I say that you make use of a numerator which is not the true numerator; you import into the numerator persons who do not belong to the class of the 1,000.

2702. The freemen themselves, I think, are given here ?—And do not amount to 300.

2703. Still these are the daughters of the freemen ?—Yes.

2704. And the freemen, you would admit, are bound to make provision for their children ?—If they can. I have felt it my duty to do so.

2705. Do you imagine that in other businesses or other employments—we will not go so low as the agricultural labourer—that this is the condition of the workpeople generally in England, because it is a very sad picture, that they require such enormous sums of money to enable them to terminate their days in anything short of destitution ?—I cannot compare. I know that I belong to a profession which has 4,000 members belonging to their institution, and I know that their case is a very bad one, but, as I say, we have not the fraction before us of the 1,000 freemen who thus receive relief.

2706. Now let me go back to the sort of examination that these people undergo, because it is an enormous sum of money, it appears to me, that is distributed either right or left. I do not say that offensively ?—I cannot agree with you in that view, I think, when we find that we are not distributing more than 30*l.* a head. The fact that we have a large number of worthy recipients may be a matter to be deplored, but not a matter to be complained of.

2707. Will you tell me the course which is pursued before one of these persons gets on to the relief list. Who do they speak to first ?—They apply to the office of the Company.

2708. They do not appear in the first instance, they petition ?—They petition.

2709. They send in a written petition ?—Yes.

2710. Can we see the form of that petition, is there a printed form for that purpose ?—No.

2711. Then what takes place next ?—It is read at the next court; it is then ordered or not according to the opinion of the court (and they almost always order these cases for examination) to be referred to the Committee.

2712. Is that the Committee which deals with the charity ?—It is a committee of the court formed of 13 members, four wardens and nine members of the Court of Assistants. They, if they think well, direct inquiry to be made; then it comes up at the next court for confirmation. An inquiry is personally made by the beadle of the Company in all cases where he can obtain access to the person to be relieved.

2713. The first direction of the Committee is that the beadle should inquire into it ?—It follows as a matter of course; it is his duty to do it.

2714. Does the beadle inquire into the moral character of these people ?—Yes.

2715. Is he a good judge of morality ?—He is not the judge, he is the person who makes the inquiries, we are the judges.

2716. Does he judge of the morality of these people by their appearance or by their dress, or what takes place. I want to know exactly what takes place ?—He makes the usual inquiries that a prudent man would make whose business it is to ascertain the facts, and the answers to those inquiries having been written are read out to us, and if we do not think them sufficient we order further inquiries to be made.

2717. Still keeping the beadle as the inquiring officer ?—Still keeping the beadle as the inquiring officer.

2718. He takes the statement of the applicant, I suppose ?—He is furnished with the petition; he then goes and makes full inquiry into the circumstances. As to how the beadle inquires into the circumstances, I should say that I presume he does it very much in the way one of us would do it if we were sent.

2719. And when does the clergyman come in ?—Never.

2720. I thought in one earlier case you stated that probably in such a case as that the clergyman would come in ?—I thought you meant the chaplain of the Company. The clergyman comes in when we want corroboration that we may not be able to get by personal inquiry, but it need not be of necessity that of a clergyman. It may be a magistrate or any person of position, a person whom you believe to be a gentleman, and whose word you would trust.

2721. Are any of these recipients of charities Dissenters ?—I do not know. We do not inquire into their religion. We inquire into their moral character.

2722. Does it come to this, that the beadle is the person who inquires into their moral character, and who lays the facts before the court, and that the court are the persons who judge of the facts ?—Yes.

2723. But you get the idea of morality strained through the beadle, and the facts of the case ?—The beadle makes inquiry, and then the applicant comes before the court before the donation is given.

2724. And through the intermediate agency of the beadle 10,000*l.* a year goes out to the deserving poor, deserving in the view of the beadle ?—You can put it in that way if you please. I know that the word beadle has become a sort of joke, that the beadle is a man in a cocked hat and with a staff in his hand, and so on, but I do say that we have a competent and intelligent person. It is the particular duty of his office, as a competent and intelligent person, to collect the facts, those facts are brought before the court, and are weighed, and if they are not thought to be sufficient, others are asked for, and finally the applicant himself or herself is seen.

2725. I do not wish in any way to make any reflection upon the beadle, and I will use another word. I know the office of beadle has been connected with Oliver Twist and all sorts of things, and I do not wish to treat it in that way for a moment. I have no

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doubt that your beadle is a well-paid man and an efficient man, but may I ask another question? In the selection of the beadle,—I will come to that,—do the Goldsmiths' Company endeavour to obtain a man who shall be a judge of morals, and a judge of nature and character, because that seems to me to be very important?—We endeavour to obtain a man who shall be a man of very considerable intelligence, as a matter of fact, the man that we have got at present was master of St. George's workhouse.

2726. Which St. George's?—St. George's, Hanover Square, I believe, a position which we thought was not a bad training for a man who was required to discriminate between imposition and non-imposition.

2727. You are surely aware that the master of a workhouse has nothing to do with inquiring into the character of people, but has merely to receive the result of the inquiries made by the relieving officer?—I should think he must have very great experience, from the class of cases coming before him, as to whether there is imposition or there is not; however, be that as it might, we thought it not a bad training, and the man is besides a man of great ability and character.

2728. Then we have got this, that the officer of the Goldsmiths' Company, to whom is deputed the duty of reporting to the Company whether people are morally deserving or not, is the ex-master of St. George's Workhouse?—Yes, he was master of that workhouse very many years ago before he joined us.

2729. I think you said in most cases this official, or this officer, inquired personally into them, but that into some he does not inquire personally?—I believe that he does in every case where they are sufficiently near for him to reach, certainly in all metropolitan cases; of that I have not the slightest doubt.

2730. Getting away from the question of morals, do you require him to prove to you, as far as he is able to prove it, that those persons are not in receipt of either charitable or poor law relief?—We do.

2731. Does he make it his business to see the relieving officers of the union to know whether they are in receipt of relief?—He would do so no doubt where there was any suspicion.

2732. Only if he has suspicion?—You know a man must use his discretion.

2733. He is not instructed by you as a *sine quâ non* that he is to inquire whether these persons applying for relief are in receipt of relief from certain sources, the poor law and the City and parochial charities among others?—He is instructed to inquire, but I do not know of any binding regulation calling upon him to test the accuracy of the information; to some extent that is left to his discretion. The final decision is left to the discretion of the Court, who hear the report read.

2734. Do you suggest any improvement upon this method of inquiry into these cases, or are you content to rely for the future upon this officer; I will not call him the beadle?—I am content to rely upon the prior practice of the Goldsmiths' Company.

2735. Do not you think that this system is one that is productive of lying, before all things, when you come to morality?—I do not.

2736. Do not you think that it is an enormous temptation to a poor woman, when visited by a person of this character, to conceal facts from that person with a bribe held out before her, I think you said, of 30*l.* a year?—I say that that is the maximum amount.*

2737. That amount being within her touch, within her grasp, and such a person as the ex-master of St. George's Workhouse coming to her and putting his feeble questions to her, do not you think that it is a great inducement to that woman to make extremely false statements in order to get it; I am coming now to the deserving part, because you have dwelt largely upon morals?—I think it is no more an inducement than there is an inducement for a person in need to take a handkerchief out of another person's pocket. If you suggest that that need is so great that it will cause lying, that is equally true in a vast number of instances. If you leave out of consideration the desire of telling the truth, there is still the apprehension that they may be found out, then their hope of relief would be gone for ever, that is absolutely certain.

2738. Gone for ever from what?—As far as we are concerned.

2739. Are there not other charities in the City of London?—I am speaking of our own Company; but if there be other charities, then the temptation to lying in order to get the pension from the Goldsmiths' Company becomes less; but you were putting here the one thing, the temptation to lie in order to raise the person from poverty, and, I say, upon that there is the fear that if the deceit be attempted, and found out, that person's hope from the Goldsmiths' Company is gone.

2740. The question I put to you pointed to the beginning and end of life. I should like to be clear upon that point. You do not agree with me in the suggestion that I made, that the prospects that the Company say they hold out of charity at the end of life do mischief and injury to the class to which they are offered, and, further, I understand you to say that you do not agree with me in what I have suggested, namely, that your sysem of distributing relief conduces to duplicity, and lying and deceit?—I do not agree with you that the prospect of relief being needed at the end of life does do anything to lower the character of those who originally become freemen, because that is the point we start from.

2741. I never suggested that it would lower their characters?—I do not agree with you in the suggestion that the prospect held out of relief at the end of life, does do injury to the possible recipient, and my reasons for it among others are these. The time when a person becomes a freeman is usually when he is young. He either acquires his "freedom" immediately after his apprenticeship, or as soon as he becomes 21, by patrimony, or else he purchases it, and he purchases it at a considerable sum of money, and at that time, certainly, would not belong to a class who contemplated relief. If he derives it otherwise than by purchase, I think it is pretty evident that if he has been an apprentice he became an apprentice with an honest desire to work at his business and to learn his craft, and not with the object of being a relief-receiving freeman in his old age; and I do not believe at the time the freedom is taken up that this prospect of relief is held in view or that it is a temptation to laziness throughout life.

2742. Although he can calculate upon it?—Although he can calculate that if he comes to want instead of going to the workhouse he may get this relief. Then in answer to the latter part of your question, I do not agree that our system of distributing relief contributes to duplicity, lying, and deceit. I only know two ways of distributing relief. One is to make no inquiry at all; the other is to make inquiry; and to my mind the better way of the two is to make inquiry, to make it by intelligent persons, and to determine on the result of that inquiry by persons equally, if not more, intelligent.

2743. Are we to understand that that inquiry is made into these very difficult cases by the ex-master of St. George's Workhouse, do these people ever come up before the Court to be personally examined?—I think I have said at least three times in the course of my answers to your questions that those persons are finally seen by the Court themselves.

2744. Seen by them?—They come before us, we question them, and I do not know any more painful duty than that of sitting in the prime warden's chair and having to ask these poor wretched creatures about their previous life and condition.

2745. All of them who are within reach appear before the Court, you say?—They do. Occasionally we have cases of bed-ridden persons, and so on, whom we do not insist upon being produced.

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* 32*l.* should have been stated as the maximum of ordinary pensions from trust funds.—F.B.

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2746. Do you hold the opinion that it is not desirable to apply for any scheme to regulate the administration of these large charitable funds, or to apply them in any other way?—I hold that it is desirable to apply for a scheme to regulate those funds whenever they happen to be in excess of the objects for which they were originally designed, but with respect to the funds which have at present an object, I believe that we ourselves are perfectly competent and do quite properly administer those charities, and I am at a loss to see that, because persons happen to be in a particular Charity Commission, or anything of the kind, they are more competent than we are.

2747. You do not think the time has come yet at all events for any such scheme?—I trust not; a scheme for applying surplus funds has been applied for since the Return was sent in. Mr. Prideaux will tell you more about it.

2748. That means the surplus beyond 10,000*l.*?—I do not think it is 10,000*l.* Mr. Prideaux will give you the details of the scheme.

2749. (*Mr. Alderman Cotton.*) Much has been said about the properties of the Companies, and their ultimate distribution. Do you think that the property of your Company could be better administered or do more good if placed in other hands than your Company is now doing with it?—I do not.

2750. You are in the habit of subscribing liberally to all schemes for the public good, and perhaps I might say that the other large Companies are in the habit of doing so?—I know, as a matter of common report, that they are. I know in my position as the chairman of the Executive Committee of the City and Guilds of London Institute that they subscribe most largely to that, and with respect to my own Company I know, of course, its very large contributions to all matters of public utility.

2751. Much has been said as to the hospitality of the Company; I suppose it is a question that must come out, do you consider the hospitality of your Company to be beneficial in any view at all?—I do. I think there is very great social benefit arising from it. I wish to say this; in answer to the chairman I have already expressed my views, so far as they are worth anything, not being a lawyer, as to what our position is with respect to our property, and that, therefore, even if we had not used it well it is very doubtful to my mind whether we ought to be the subject of inquiry; but I should like to say this, and I say it boldly, that I believe we have used our property as creditably as ever property has been used by any private owner of property, and that we have done everything which a right-minded, high-minded private owner of property would have done, with the one exception that we have not used any part of it worth talking of (a wretched fifty guineas a year, or something of that kind) for ourselves.

2752. (*Mr. James.*) With reference to what has fallen from my friend, Mr. Pell, perhaps you are aware that there are some persons who say you cannot spend money badly, so long as you do not give it away. I suppose you are not one of those?—There are persons who say that if you find a man lying in a ditch with a broken leg, you ought not to pull him out, because it may encourage others to fall into ditches carelessly.

2753. I suppose you would admit that in the distribution of charity, I do not wish to go too closely into motives, I only wish to speak in general terms; there are usually only two motives for distributing money, one to benefit the recipient and the other a certain amount of notoriety, or affection (or whatever other term you may wish to describe it by), on the part of the donor?—No, really I cannot assent to that proposition.

2754. Do you think that money is never given away rather with a view of increasing the importance and the self-satisfaction of the donor?—I think the question you put to me previously was not that. I think your question was, are there not usually two motives. If you ask me do I think it is never given away for such a reason as that, of course my answer to you is that there may be occasionally some such unworthy motive as that.

2755. You think the general distribution of charity is usually from perfectly worthy motives?—I do. I suppose that it is germane to your question to say that it is so with us.

2756. Do you think that those engaged in this matter usually put themselves to any personal trouble or make any personal sacrifice, or put themselves to any personal inconvenience when they desire to confer such a benefit?—Yes. As I say, I know nothing more painful (and nothing but a sense of duty would induce me to do it) than to attend the courts on the days when these unhappy creatures come before us.

2757. No doubt that would be so in your case, but can you tell me within your knowledge of any members of your own court who have investigated any of these cases by making personal visits to the recipients of the charity?—I cannot. I daresay there may be such, but I cannot tell you.

2758. You cannot speak of your own knowledge of any one single case?—I cannot speak of my own knowledge in any one single case, but I think if you put the question to Mr. Prideaux that he can tell you.

2759. Are you aware that in those areas or in those districts where you find public charity prevails most largely, and there are the largest funds for the distribution of public charity, the number of poor relieved by the rates always enormously increases?—I cannot say that I am not aware of some statements of that kind, but not sufficiently well to be able to answer your question.

2760. Have you ever entered into or examined those statements?—I have never entered deeply into those statements.

2760*a*. Have you entered at all into them?—Only superficially.

2761. If it could be shown to you, that wherever these charities are distributed in large sums, with the distribution of charity so you find an increase in the rates, would it at all shake the opinion and views that you have expressed to my friend on my left, Mr. Pell?—I should like to know something more than that very vague term "these charities." There may be charities and charities. It would not shake my opinion, I should look upon it as a coincidence. If in a particular district, where the unhappy widow or daughter of a man who had been better off was saved from the workhouse by 30*l.* a year, there was more poverty and more rates, it would not occur to me that the two things had any connection.

2762. No doubt we are all acquainted with cases in which a little charitable assistance is most advantageously bestowed and is of the greatest advantage, but we must look at these things in a more general way, I believe there is no part of England in which there are larger funds for charitable distribution amongst the poor than in the City of London Union?—That I do not pretend to be able to tell you.

2763. Are you aware that the number of poor in the City of London Union enormously exceeds that of every other union in the metropolis?—I am not aware.

2764. I do not happen to have the exact figures, but they are within reach. If these facts were placed before you would it alter the opinion you have expressed to Mr. Pell with regard to the distribution of charity?—With regard to the distribution of these charities, certainly not. The best answer that I can give is that which I have already stated, that according to my lights I was a busy man some 17 years ago in providing the Institution of Civil Engineers with the very thing that it had not got, and that the Goldsmiths' Company has got, that is the means of relieving its poorer members, and if you were to bring all the statistics from all the unions in England you would not persuade me that I have done a bad thing.

2765. You are speaking of the charities of the Institution of Civil Engineers; they are not by endow-

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ment, but they are subscriptions from individual members of the society, are they not?—We endowed ourselves. We subscribed a certain large sum of money, and have got now a capital of some 25,000*l.*

2766. Do not you think if it could be shown that in those particular districts, the distribution of charity had a mischievous effect, that the opinions which you have given in answer to Mr. Pell's questions must have a mischievous effect upon the whole community?—If you could show me that the distribution of the particular charities about which I am here to speak have any mischievous effect, I should be obliged to accept that which you put to me, but until you do so I cannot accept generalities about charities, and apply them to the particular charities that we have to distribute and do distribute. As I state, acting upon my light or want of light, I did this for the Civil Engineers, and I know the members of the Inns of Court have done the same thing for their profession.

2767. I believe it was the wish of your Company when this Commission was first announced, to give every possible information it could to the Commission, and that every charge and that every fact should be brought under their notice?—It was.

2768. Did you take any collective action or act individually as a company, speaking merely as a company?—We acted individually.

2769. I suppose there have been some communications pass between you and the other companies?—I do not know that there has been anything official. I can quite well imagine that a matter of this kind cannot be going on without there being very frequent opportunities of meeting each other.

2770. There must have been some inter-communications, because I see in your statement you refer to a memorandum sent to the Commissioners by the Merchant Taylors' Company with regard to Donkin's Charity?—Yes, I had a copy of that sent to me by a friend of mine, a solicitor.

2771. You do not set out your charters at length?—As to that, I must, if you please, refer you to Mr. Prideaux.

2772. I do not think you would object to reply to the point I was going to put to you; in your Returns you state that your Company had its origin as a combination of goldsmiths?—Before we were a company it had its origin as a combination of goldsmiths; as an association of trade individuals, I think, we state.

2773. You state in your Returns that it "doubtless "had its origin in a combination of goldsmiths for "their mutual protection, and to guard the trade "against fraudulent workers?"—Yes; that being prior to any charter whatever; I think you will find it so.

2774. Recognised by statute in 28th Edward I.?—Yes.

2775. That is carried down through a long series of years; then you go on to state the various Acts of Parliament, the last of which is the 18th and 19th Vict. cap. 60?—That, I think, relates simply to the assay.

2776. That is a point to which I was coming; can you tell me the cost of maintenance of the Assay Office?—I have not the figures in my mind; Mr. Prideaux can tell you; but one item of our expenditure in a particular year I remember is 80*l.* The payments for assaying had not met the expenses of the office; the difference, the 80*l.*, is the cost to the Company. The object is to make such charges for assay as shall leave no profit whatever, but just pay the expenses.

2777. Time is getting on, and I do not wish to detain the Commission by going into these matters in great detail or at great length, but can you tell me now whether at any time, instead of raising revenue from your trade by payments to the Assay Office, your Company having been formed as a company of goldsmiths, and through a long series of years having been closely connected with this trade, any proposals have at any time been made to relieve the trade of goldsmiths to some extent of those public burdens which are placed upon them in connexion with the marking of plate, and the charges which are made in connexion with the Assay Office?—I am afraid I do not follow you. We raise no revenue whatever from the office.

2778. You raise no revenue for yourselves?—No.

2779. Why should not you relieve your trade of some of the burdens placed upon them by doing so?—I know of no burden except the duty upon plate, and the obligation to hall-mark, and I should be very sorry indeed to see that obligation done away with.

2780. I think we should all agree in that; but do not you think that that is a duty; that is to say, lightening some of the burdens upon your trade, which you might undertake with advantage?—I hardly follow you. Is it your suggestion that we should charge ourselves with the 1*s.* 6*d.* an ounce on all the plate that comes to our office, and pay the Government the duty? I presume you cannot go that length.

2781. No; but might you not do something in connexion with that office for your trade?—In connexion with the Company we have done a very great deal; we have for many years past, at very considerable expense, done what we could in the way of technical training, and since then, indirectly, we benefit all trades by our Technical Institution. We subscribe also largely to the various trade charities, and many of our pensioners, you will find, to go back to that subject, are of the artisan craft, working goldsmiths and silversmiths.

2782. That may confer a certain amount of benefit, no doubt, upon particular individual members of the trade, but what have you done generally to benefit the trade of goldsmiths?—One thing we have done is, that we have upheld its respectability and prevented fraud, and, to my mind, that is the very best benefit you can confer upon it, looking at the prevalence of fraud. I was shocked the other night when I was at the Society of Arts (I ought not, perhaps, to take up the time of the Commission in this way), when there was a question relating to agricultural machinery before us, to find that so great is the adulteration practised that one particular hay-compressing press was received with great favour by manufacturers and merchants, because the hay that was compressed by it was compressed in rope-like form, so that every part had to come to the outside, and that rendered it impossible to conceal in the compressed hay the various matters that were not hay or that were bad hay, and which would be concealed in it when the old-fashioned presses were used. That which has been done by this Company to secure the purity of that which is produced has conferred the very greatest benefit upon the goldsmiths' trade.

2783. Do you not think, turning to your corporate property and corporate funds, that it would have been better if you had done more for the trade and less for the indiscriminate objects mentioned in the Appendix, such as the London Hospital, the London Rifle Brigade, and so on. Do you not think that your trade has a much larger claim upon the funds, and that it would be a better way of using them than giving it in this somewhat indiscriminate way?—I do not see that we could profitably employ more of our funds in benefiting the trade than we do, nor that the others are not very well expended. Take the Architectural Museum for instance. We look upon all that as somewhat cognate to our trade; we look upon matters of art as cognate to our trade. Take the case of chemical research. We gave 1,000*l.* to aid in chemical research. We did that in our capacity as assayers.

2784. But there are a great number of objects which can have no possible connexion with it?—No doubt there are a great number of objects, but there are a very great many on the other hand which have.

2785. Do you look upon your position as that of a private individual with regard to the distribution of your corporate funds or money?—So far as legal obligation goes, not so far as moral obligation goes.

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2786. You state in your letter that you do not think that out of your gross income 6,000*l.* a year is a large sum to spend in entertainments?—I do not. I think those entertainments are of very great use indeed. They bring together different classes of society. I know that I, who have not very much opportunity of mixing with men of very high position, have that opportunity there: and there has been a certain amount of utility in it. I believe that these meetings really do very great good, and that if they existed elsewhere they would be found to do good in other countries. I must put this to you. When a successful general comes home the first thought of the people is to give him a dinner. They give one at Willis's Rooms. They spend as much rateably upon that dinner as we spend upon ours. That is looked upon as perfectly legitimate, but if the same man is invited to come and dine at our hall, and the dinner is paid for out of our funds, some very hard words are used about it. Some witnesses who have been before you have said that which is not true about the unedifying scene at the hall, when visitors are leaving. All I can say is, that our members are a body of gentlemen, and I have never seen anything contrary to that character. I repeat that in the view of some people that thing which is right in itself when done by subscribing and entertaining at Willis's Rooms, becomes wrong directly it is done within a city hall. I cannot understand that.

2787. Do not you think that those things are very much matter of opinion?—I think they are, but I think that my opinion and that of those who have got the property is quite as good as that of those who have not, but who want to take it. I think it is very like the case of a private individual being subject to the criticisms of a censor who might come, for instance, to me and say, "You keep very good books, Sir "Frederick Bramwell. I have looked over them, "and I see that you have so many dinner parties "in a year, and they cost you so much."

2788. You look at it in that light?—I do.

2789. You do not think that the goldsmiths of the United Kingdom are entitled to their opinion?—I do, and I think that the goldsmiths of the United Kingdom have expressed their opinion pretty strongly; there might be one who wishes the Company disestablished, but, with that exception, I would appeal to the goldsmiths of the United Kingdom.

2790. Can you tell me the proportion of the cost of entertainments to the expenses of management?—You have it in the returns.

2791. Do you know whether it is a sixth?—It is more like one-tenth, I believe, or one-eleventh.

2792. (*Mr. Firth.*) You have told us that, subject to moral obligation, you think this property might be divided amongst the members of the Company?—No, I did not; I beg your pardon.

2793. What did you say upon that?—I said I believed it was our own, and that might import that which you state, but I did not use those words.

2794. Are you aware that some of the companies have passed resolutions upon that question?—No.

2795. Are you familiar with these accounts of the Goldsmiths' Company?—Yes.

2796. I find upon analysis the gross income is 566,000*l.* in 10 years?—Yes.

2797. I am going to ask you about the management afterwards. I find that the current expenditure is 442,000*l.*, omitting the hundreds?—I do not understand "current expenditure." Do you mean including all that we have given away for all purposes, for technical education, and so on.

2798. Yes, I am taking it from your accounts. I will give you the items if you wish, but I find that you have expended upon capital account about 98,000*l.*, and have a balance in hand of about 26,000*l.*, which makes the difference between 442,000*l.* and 566,000*l.*?—I take the figures from you without referring to the Return.

2799. They have been carefully analysed; now with respect to this current expenditure; you answered my friend, Mr. James, just now with regard to the proportion for management. I make the cost of management 200,000*l.* out of this 442,000*l.*, which would be 45 per cent. I will tell you how?—I was going to say that I should like the details.

2800. Cost of courts and committees, 344,000*l.*; cost of entertainments, wine, and housekeeping, 73,873*l.*?—I should not suggest that "entertainment" was part of management.

2801. I am putting under management, rightly or wrongly——That which is not management.

2802. No, I was going to say I am putting under management, rightly or wrongly, the total cost incurred by you in controlling the whole of this estate?—But I demur to the cost of entertainments being used either as to management or control. If I do not take care we shall get it down on the notes that I assent to your statement that the management is 45 per cent. I do not assent to that.

2803. I do not wish to put to you anything more than to know if you assent to it?—I do not assent to those things being management.

2804. The cost of buildings and maintenance of buildings, you do not think properly can be put under the head of management?—I say certainly not.

2805. I find with respect to repairs of the buildings that you have expended on your repairs altogether 33,259*l.*; is the sum of 22,309*l.* of that expended upon a staircase?—I do not remember the exact sum, but there was a time when the scagliola work having become shabby, we, from two motives, one artistic, and the other the desire for future economy of repair, took away all the sham and put in real.

2806. Would you include salaries or think them properly included under management, 37,530*l.*?—Certainly. I presume those are salaries really of the Company and not of the Assay Office. I do not know whether they are separated.

2807. Yes. With respect to the Assay Office, I find in your account you only give us something over 600*l.*; that is what it has cost you as you told my friend?—Yes, the effort is to make the Assay Office nearly pay for itself.

2808. It does not pay by about 600*l.* in 10 years I find?—Yes.

2809. Then you would say that rates and taxes and insurance of buildings would not properly be included under management?—I should not so class them.

2810. I find that in the voluntary gifts you have given altogether 131,406*l.*, donations 69,588*l.*, University exhibitions 25,508*l.*, subscriptions 10,853*l.*, technical education 8,658*l.*, schools 7,137*l.*, almshouses 7,405*l.*, and annuities 2,257*l.*; that is outside the gifts and charities provided for by the wills of donors. Now with respect to technical education down to 1877, I see you did not give 500*l.*, but since that time you have gone up to 2,400*l.*?—In 1877, the Livery Companies (certain of them) came together for the purpose of establishing the City and Guilds Technical Institute, and the amount that our Company returns under this head prior to that date is that which was given for the support of that special technical education which we had ourselves instituted some years before, for the encouragement of our own craft in artistic design, travelling scholarships, and so on, but after 1877 when the Companies met together to establish the City and Guilds of London Institute, the Goldsmiths' Company determined to become one of the body, and then the contributions appear, and those contributions have very considerably increased since that date.

2811. There are four societies in connexion with your trade I think specifically mentioned. The silver Trade Pension Society, The Watch and Clock Makers' Asylum, The Goldsmiths' and Jewellers' Annuity Institution, and the Goldsmiths' Benevolent Institution?—Yes.

2812. To those four you have given 6,448*l.*, 1½ per cent. upon your expenditure. Are you aware that they have made complaint about not having more?—I

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do not know it, but I do know that without complaint we have very largely increased our contributions.

2813. These statements, in which you have done me the honour of referring to something I have written, were not submitted and explained to the Court of Assistants, I think?—They were not.

2814. The accounts are not open to any, I think, of the Court of Assistants?—Yes, to every one, emphatically every one.

2815. Has Mr. Watherston seen them?—If he has not it is his own fault, but I have very little doubt that he has.

2816. I should like to ask you about this apprenticeship. Can you tell me how it is that this kind of apprenticeship has to be registered in the Chamberlain's office?—So far as the Company is concerned it has not, but the probability is, that a man who has become free of the Company will desire to become free of the City.

2817. I want to call your attention to this. It says this indenture must be immediately enrolled at the Chamberlain's office in Guildhall?—It is as if it went on to say if he wished to become a freeman of the City.

2818. This you say is now applied to cases where neither of the parties have anything to do with the craft of goldsmiths?—Yes. If we have a freeman of the Goldsmiths' Company who is not a goldsmith, and he brings a person there to apprentice him to learn a trade, not being the trade of a goldsmith, we allow him to be apprenticed.

2819. Is this term of seven years generally served?—Always, invariably. We never admit a man to the freedom afterwards if he has not served it fully.

2820. Are you always careful that the business he is apprenticed to is one to which an apprentice can be put?—Yes.

2821. Can you tell me how many of the poor of the Company whom you benefit are connected with the craft of Goldsmiths?—I almost think it is in the return, but I would rather leave that to Mr. Prideaux.

2822. When you become a freeman of the Goldsmiths' you make a declaration that you will warn the wardens of every deceit in everything that belongeth to the craft of goldsmiths, and so on?—Yes.

2823. Is that done, or is that intended for anybody except the craft of goldsmiths?—It is intended specially for the goldsmiths.

2824. Have you ever warned the wardens of any deceit, if it is not too personal a question?—I have never had occasion to do so. Any fraud in the goldsmiths' craft has never come to my knowledge, but if I had become aware of anybody endeavouring to sell plate with a false stamp upon it or anything of that kind I most certainly should have warned the wardens of it.

2825. Are the wardens, men skilled in the craft?—One of them, as a rule, is always an actual craftsman, a man engaged in the trade.

2826. Always?—I say as a general rule; then they have their deputy, who is a man thoroughly well skilled; and the other wardens, I think, generally, are very competent to entertain a question of that kind.

2827. You are aware that under the charter you must elect from yourselves men best skilled in the craft. Have there not been many cases in the last 50 years in which no warden has been connected with the craft at all?—I do not think there have been many cases; I do not say that there have not been some. I think on one occasion, during the time I was warden, it so happened, for one year, that there was no one of the four wardens connected with the craft. That is the only instance that I recollect, although, I dare say, there have been others.

2828. Then in that case the control of the trade would not be in skilled hands?—Yes, it would, the control of the court; it would be in the hands of men amongst whom are many craftsmen.

2829. How many?—I think at the present time five or six, without counting bankers.

2830. A number of the leading firms in London have endeavoured to become members of your Court, I think, have they not?—No; we do not admit a partnership. You say leading firms.

2831. Leading individuals; say Mr. Hunt, of the firm of Hunt and Roskell; he has put up, I think, six times unsuccessfully?—I do not know that. I do not remember.

2832. And that the Court preferred a stockbroker; was not that so?—I have no recollection of that being the fact.

2833. Have not Messrs. Garrard?—I have no recollection that they have.

2834. Or Mr. Hancock?—I have no recollection that he has.

2835. You recollect Mr. Brogden?—This question applies, I understand, to the Court of Assistants.

2836. Yes?—I recollect Mr. Brogden, and another craftsman was elected instead of him.

2837. Who was that?—Mr. Smith or Mr. Lambert.

2838. Is Mr. Lambert on the Court of Assistants?—He is.

2839. And Savorys have put up unsuccessfully, have they not?—Not to my knowledge.

2840. I see in this paper you object to a statement which I have written as to the value of the membership on the Court of Assistants; that is not specially stated as to the Goldsmiths' Company; some Courts of Assistants are very valuable, is not that so?—Not to my knowledge. Not what any of us round this table would call very valuable. I know that my Court is to me a source of loss, but I do not want to be relieved of it, because I like the position.

2841. I see afterwards you give us your belief as to an observation I made as to the question of the bank notes; you do not believe there is any foundation for that in any other Company?—No; I think it a most improper observation to have made at all. I must say so.

2842. It was made upon a series of facts with respect to several Companies?—I should like to have the fact before me. Certainly nothing of the kind was ever done with us.

2843. You also state your belief with regard to the value of a seat on the Court of Assistants?—I do.

2844. We have this, that in the Mercers' Company they divide for the Court of Assistants 8,760*l.* a year. Do you still hold to your belief?—I do not know the number who attend. I believe that Company is one in which the Livery are compelled to attend under certain circumstances, and that the Livery are paid as a body also for doing so. I think that is one of the reasons for the high expenditure.

2845. Supposing that turns out to be incorrect, would you hold to your belief?—I believe the property being that of the Mercers, they are entitled to pay what they please for attendance.

2846. My question was, would you put your belief against a statement of fact?—Certainly, because the suggestion in the work referred to, I think, is that the position was equal to 4,000*l.* a year. Now even assuming the expenses of the Mercers to be 8,000*l.* a year, unless you have not got more than two persons to partake of it there is no foundation for the remark that the position is worth 4,000*l.* a year.

2847. I do not wish to delay you very long, but I should like to ask you one question about a matter connected with the trade which has been put under my notice, and I suppose I ought to ask you a question about it; that is, with respect to some jewellery that has been sent to you from India as to which a man says that he lost 100*l.* Do you recollect that case? What do you say about that?—I do not recollect it.

2848. He says that Indian silver was sent over, and that it was rather under the standard, and that it was all smashed by you?—I am told that Mr. Walter

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Prideaux, who is here, can answer as to the particular case alluded to. I cannot; but I presume if it were below the standard we could not legally pass it. I brought some silver over the other day from America, I took care that it was standard before I brought it, and I have had it hall-marked.

2849. This is Indian silver?—Yes, I took the precaution to find out that mine was standard before I brought it.

2850. (*Chairman.*) I should like to ask you one single question which your examination has suggested to me. I observed that you stated that 30*l.* was the maximum amount given as a fixed pension?—I say in almost all cases.

2851. Are the Commissioners to take it that it is not practically exceeded in many cases?—They are to take it that it is not practically exceeded in many cases. It is exceeded in some cases, but not as a fixed pension.

2852. When you say a "fixed pension," is the donation made annually and not withdrawn?—As a rule it is repeated, but it is not annual. I think you will find that certainly 13 months must elapse.

2853. Then the Commission understand that anything more than that is not fixed and is not a pension?—Anything more than that is not fixed, and is an exceptional donation.

Adjourned to Wednesday next at 4 o'clock.

MEMORIAL OF GOLDSMITHS' COMPANY.

Goldsmiths' Company.

London, E.C.,
Goldsmiths' Hall,
November, 1882.

To Her Majesty's Commissioners appointed to enquire into the City of London Livery Companies.

Gentlemen,

The Goldsmiths' Company instruct me to express their appreciation of the courtesy of the Commissioners in sending them a print of the oral evidence which has been given before them, and they desire to make the following remarks on some parts thereof.

They find that charges of conduct, prompted by unworthy motives, have been made against them; and as they assume that the Commissioners will report upon each Company separately, it is important to the Commissioners as well as to the Goldsmiths' Company that mis-statements should not go forth uncorrected.

I begin with the evidence of Mr. E. J. Watherston, one of the Liverymen of the Goldsmiths' Company, and in dealing with the statements of this witness, as he has thought fit to bring himself and his father and their contentions with the Goldsmiths' Company prominently before the Commissioners, I shall be obliged most unwillingly to refer to personal matters of a very unpleasant character.

Mr. E. J. Watherston has asserted that his father was opposed by the Company, and rejected for the office of Warden because he was a reformer. This is entirely untrue.

When Mr. Watherston's turn came to be nominated for the office of Warden, he was nominated and balloted for in the usual manner. The result of that ballot was not in his favour; in fact, he had but one vote.

The following Members of the Court were present, viz:—

James Boyle Smith;
William Gladstone;
Alderman William Taylor Copeland;
James Bankes Friend;
George Ashlin;
James Garrard;
George Smith Hayter;
Richard Davis;
James H. Watherston;
Alexander Trotter;
William D. Child;
Henry John Lias;
James Malcolmson;
Augustus W. Gadesden;
John Gray;
Richard Fownes Wingrove;
William G. Hicks;
Henry Sykes Thornton; and
George Grenfell Glyn.

Now I will ask whether it is likely that 18 gentlemen, comprising amongst them men of his own craft as well as some of the leading Bankers and Merchants of the City of London, would be unanimous in rejecting a colleague without due cause.

It is true that subsequently the members of the Court declined to hold any communication with him; they did so in consequence of his offensive conduct. This state of things continued for some time, but ultimately, he apologised to the Court for his behaviour through me, and he also apologised to its members individually; after this he and his colleagues of the Court went on smoothly together, but subsequently his conduct soon again became unpleasant, and offensive.

With regard to the letter which he addressed in July, 1876, to the Masters, Wardens and Courts of Assistants of every Livery Company of the City of London, in which he signed himself "a Member of the Court of Assistants of the Goldsmiths' Company," it is to be noted that he was then, and had been for some time previously living in Devonshire, and then seldom attended the meetings of the Company, and that he was probably, therefore, not aware that for a long time previously the subject of Technical Education had been (informally it is true) under the consideration of the Goldsmiths' Company, and some of the other chief Livery Companies. Indeed at that time the main question was not whether the undertaking should be commenced, but what form it should take, and how it should be carried out; Mr. Watherston's views and those of the Company were very dissimilar, and his views and those which have subsequently been acted upon under the advice of the most eminent practical men of science of the present day, are opposed to each other, and the Company certainly did not approve of his signing his circular letter as "a Member of the Court of Assistants of the Goldsmiths' Company," embodying as it did his individual view, and not those of the Company.

With regard to the Witness, Mr. E. J. Watherston, he has not disguised his illwill towards the Company and his desire (to use his own words) "to disestablish it.' He has tried for years to write down the Company in certain papers. This being so, it was not likely in 1878, when he applied for certain information to which he was not entitled as a matter of right, that the Wardens would give it to him as a matter of favour.

This witness complains that on the morning of the day of his examination, he had applied for a copy of the oath which he took, and that the person to whom he wrote replied to him that he was unable to comply with his request, without asking the permission of the Wardens. This person was not myself or any superior officer of the Company, but was Mr. Williams, a clerk in my office, who certainly has no authority to give copies of documents to Liverymen without the authority of the Wardens, or myself.

In order to depreciate what the Company have been doing for the last 11 years with a view to encourage Technical Education in the design and execution of works in the precious metals, this witness has endeavoured to induce the Commissioners to believe that the prizes which have been offered by the Company yearly since 1870, are solely for drawings—that the drawings or designs which have been produced have been of no value.—that they have never been carried out on any single occasion, and that no person in the trade attaches any importance to them. All these statements are untrue. The prizes are offered not only for designs in the shape of drawings, but for models and for excellence in executed works. As to their value Mr. Watherston, in his letter to Mr Beal, says ("ask Mr. Poynter,"), meaning Mr. E. J. Poynter, the Royal Academician.

The following letter from Mr. Poynter in answer to my enquiry addressed to him on this subject will speak for itself:

Goldsmiths' Company.

28, Albert Gate, S.W.,
June 22, 1882.

DEAR MR. PRIDEAUX,

I HAVE no hesitation in saying that the Goldsmiths' Company's prizes called out some very good designs, many of which would have worked out well if they had been executed. Whether the competitors were "pot hunters" I do not know; I presume that they were frequently professional designers, and I imagine it to have been part of the intention of the Company to encourage a better kind of work among this class. But they were not invariably trade designers; to the best of my recollection we had many designs sent up by students of Schools of Art, and others.

It seems to me to be in the nature of things that the designs as a rule should not be carried out; the execution of large pieces of plate being expensive it is difficult to see how the Company could give commissions for the execution of the prize designs without encumbering themselves with costly pieces of plate, which they do not want, and it is not often that firms of silversmiths have the will or the opportunity to carry out a large ornamental work not specially designed for them, as Messrs. Elkington have done in the case of Watkins's admirable design for a shield.

The list of subjects for which the prizes were offered seemed to me to be well considered and to cover all that is necessary, and the Company always showed themselves ready to listen to any suggestions which I had to propose; and I know of no way of encouraging an art but by offering prizes, and opening competitions, for design and workmanship: —unless,— and you will remember that I have spoken to you once or twice on this point with reference to repoussé work—it be by the establishment of Technical Schools under carefully selected instructors. This, however, is another matter. I am confident that the money spent by the Company has done good service in the encouragement of good design.

I am, very truly yours,
EDWARD J. POYNTER.

Executed works and models in plaster of great beauty have obtained prizes, and at the present time, as stated by Mr. Poynter, Messrs. Elkington & Co. are executing at a large cost a most beautiful work from a design for a shield, by Mr. J. Watkins, which obtained a prize in 1876. To four of the successful competitors, the Goldsmiths' Company have also awarded Travelling Scholarships, from which the holders have, it is believed, derived great benefit.

The following extract from a letter dated the 26th June 1882, from Mr. Owen Gibbons, who held one of these Scholarships, will show what is the opinion of a practical man, of the value of the competition established by the Company.

Mr. Gibbons is now the master of a school of art at the Coalbrook Dale works in Shropshire.

He writes to me as follows, viz.:—

"With regard to the good your competition has done, for my own part I can say that had it not been for it I should not have practised design in goldsmiths' work to anything like the extent I have done, and in my designs for actual execution in the precious metals I should not have been so ready, and I could not have taught my students so well how to design for goldsmiths' work.

"Even in the case of those who failed to take prizes, the endeavour to design, and the study, and consequent knowledge gained, is a great step towards the improvement of design.

"If the Science and Art Department prize drawing and models were to be judged by the number sold, the idea gained would be that the Art Schools do no good, but what the Department aim at (and the Goldsmiths' Company also) is to improve the decorative art of the kingdom by encouraging the best art, and keeping the students working so that they may be led on from one success to another, at the same time an exhibition is held to show those who failed in what way they came short of success.

"With regard to the Travelling Scholarship I can only say that I learnt a great deal. The drawings I made have been of great use to me, the knowledge I gained of much more.

"If the Goldsmiths' competition were to be given up I should feel that the art of design had suffered a great loss."

As to Mr. Watherston's complaints of the Hall Marking of Plate, he is entitled to his own opinion, but in holding himself forth as the champion of the trade, we must point out that he has failed to get the trade to go with him.

On the 3rd of April 1878, a meeting of the trade was held at St. James's Hall. At that meeting four-fifths of the firms which pay the plate duty were represented, and a resolution was unanimously passed that it was undesirable to interfere in any way with the present system of Hall-marking.

Mr. Watherston has complained of me for the part which I took before the Select Committee on the subject of Gold and Silver Hall-marking in 1878 and 1879. The course which I took upon that occasion was simply this; I endeavoured to make the Committee understand the state of the law, and the system pursued, and, I believed it to be my duty to correct mis-statements made by Mr. Watherston, and to show that certain conclusions which he stated were, as I believed, erroneous. For instance, he stated that he knew that wedding rings hall-marked in England were sent out to some foreign dealer and the rebate or drawback of duty received, and that afterwards they were easily smuggled back into England. He stated that he "*knew that this could be done and that he felt sure that it was done*" (See Report on Gold and Silver Hall Marking, House of Commons, 1878. —Question 207).

With reference to this mis-statement I informed the Committee that this was a pure invention, for in the year 1820, long before the witness was born, an Act of Parliament was passed which enacted "*That there should* "*be no drawback allowed on the exportation of wedding* "*rings or any rings or on any ware of gold under 2 ounces* "*in weight,*" and therefore it was utterly impossible that this should have occurred. (*See* Report, Question 1583.)

The witness in his examination before the Commissioners has complained of the manner in which the Hall-marking is carried on by the Company, and has stated that it is very much better done in France, where, he says, it is done by what is called "touch," and not by the "scrape and parting assay," as it is in this country. He says "the Hall-making is admirably done in "France, and very badly done in this country by reason "of the antiquated manner in which it is conducted."

Now as regards this charge it is to be remarked that in 1878, when he was examined before the Select Committee on Hall-marking,—*many Goldsmiths and Silversmiths being then present*—he was asked the following questions:—

"Do you object to the way in which they do the Hall-marking, or do you object to the law which gives so important a public function to a body of gentlemen who have not experience in that particular trade?"

To which he answered, "To the law," "*I have no* "*cause to complain of the manner in which the work is* "*done.*"

He was then asked, "Then yours is rather a theoretical "than a practical objection?" To which he replied, "Decidedly so." On which the chairman remarked. "If they do the work well and employ proper people, I "do not see that there is much room for complaint." [See questions, 93, 34 and 95, House of Commons Report on Hall-marking, 1878.]

As regards the statement that the Hall-marking of Gold and Silver plate is done differently in France from the manner in which it is done in England, that is to say, that it is done by the "touch," here again the witness has made a mis-statement. It is true that in France small articles which cannot be scraped without injury, such as jewellery, which in England are exempted from Hall-marking, are tested by what is called the "touch;" but the French recognising the inaccuracy of this method, by the law of 19 Brumaire au 6 (9 Nov. 1797), require that the assay of all such articles as alone are here subject to obligatory hall-marking, shall be tried in the same manner as that employed in England, viz., by scraping and cupellation. In corroboration of this it may be stated that in the year 1865 the Goldsmiths' Company sent one of their Assay officers over to France to see their mode of treating the work in the operations of assaying and marking in the establishments there, and he found that it was done in almost exactly the same way as it is done in England. It was done by scraping and cupellation, or the "parting assay." He bought a gold watch case in the assay office in Paris which had been sent to be assayed and marked, having got the assay master to stop it, in order that he might bring it over and show how it was done. That gold watch case I have in my possession at the present time. It is in its rough state and shows exactly from what parts the scrapings for the assay have been made, and that

Goldsmiths' Company.

the process has been identical with that used at Goldsmiths' Hall.*

Reverting to that part of the evidence of Mr. E. J. Watherston, in which he complains that if one article in a parcel of plate is defective the whole parcel is broken, the answer is that the power to do this is not exercised unless there is reason to believe a fraudulent intent or a want of care. As a matter of fact the care of the honest manufacturer, and the influence exercised on the less scrupulous by the action of the Goldsmiths' Company, has had the effect that only about ·75 per cent. of the gold plate and ·25 per cent. of the silver plate offered for assay is broken.

The witness moreover says:—

"*I should like to place on record this fact, that only 6 years ago they* (*meaning the Company*) *were strongly opposed to Technical Education.*"

Now we may remark that the demand for Technical Education is of comparatively modern date, and that the Goldsmiths' Company had a very early appreciation of its importance is shown by the steps taken in 1871 to organise a plan for its encouragement by offering prizes and travelling scholarships.

Here again then we have a palpable mis-statement by Mr. E. J. Watherston; for instead of being strongly opposed to Technical Education six years ago, it will be seen that eleven years ago the Company established a scheme for its promotion, which has been in full action ever since.

It is most distasteful to be obliged to deal with subjects of a personal character which might have remained in oblivion if Mr. E. J. Watherston had not thought fit to bring his father's and his own contentions with the Company as matters of complaint before the Commissioners. He having done so, the Goldsmiths' Company feel that they have no alternative than to defend themselves.

A few remarks are necessary on the evidence of other witnesses.

Mr. Longley says, that with regard to certain Companies of which he had experience, he should say that they had been exceedingly liberal in their administration of the trusts, and in many cases which are already known to the Commission, have subsidised the trust funds very largely out of their corporate income; "but" he remarks "on the other hand our experience is that "their administration of the trusts has been on a very "generous scale, as regards expenses, almost lavish "in some cases."

Now with regard to these observations, the Goldsmiths' Company desire me to state that they have never charged any expenses for management against any one of their charities. The whole of the costs of the management of their charity property, and the administration of the trusts reposed in them, has been paid for out of their general corporate income.

Two witnesses, namely, Mr. Beal and Mr. Gilbert, have thought fit to make some remarks on the subject of my salary, as Clerk of the Company; and Mr. Gilbert has taken upon himself to make a computation of my income, not only from the Goldsmiths' Company, but from other sources. Mr. Gilbert can know nothing of my private affairs, nor, even with the widest license allowed to witnesses in this enquiry, can he be concerned with any part of my income, excepting that which arises from my office as Clerk of the Company.

He has stated that I am Secretary of the Assam Tea Company, and, to use his own words, "one of the leading men of the New River Company"' "and I believe one or two other things as well."

Now I am not Secretary of the Assam Tea Company, I am a Director of the Assam Company, and I have been so for many years. I am also a Director of the New River Company, but not "of one or two," or of any other things whatever. If the witness means to complain of my holding those offices, I say that he might as well complain that I spent some hours a week in general reading, or in any pursuit other than that of my duties as Clerk of the Company. My employment as a Director of these two Companies occupies me on an average about two hours a week, and taking much interest as I have done in their affairs, I may say that it tends to relieve the monotony of a life which has been, and still is, one of great labour; besides, as regards the New River Company, my presence as a Director at the Board of that Company, at which I represent the share of a friend, is I believe of service to the Goldsmiths' Company in enabling me to watch over their interests, they being the owners of a share as trustees of Sir Hugh Middelton's Charity.

As regards the amount of my salary the facts relative to it are stated in the Company's Return.

I have held my office for upwards of 30 years—I am now in the 77th year of my age.

I never was related to, or connected by blood or marriage with, any member of the Company.

I never directly or indirectly, made any application to the Court for an increase of my salary, but in 1860 it was raised from 1,000*l.* to 1,300*l.* and so continued until the year 1877, when it was raised to 1,800*l.*—So that I have only received my present salary for about 5 years.

The office which I hold is one of great trust and responsibility—Its duties are very onerous and laborious, and the Court of Assistants having become convinced that the duties had so much increased that I could not perform them alone without the sacrifice of my health, appointed my son to be my assistant.

I have reason to believe that the Court of Assistants were of opinion when they last raised my salary, that for a long period I had been under-paid. Be that as it may, they well knew what my services had been, and what they continue to be, and they thought fit, for the short period during which in the course of nature I can continue to hold my office, to grant me what no doubt is a liberal remuneration.

I now propose, on behalf of the Goldsmiths' Company, to submit to the Royal Commissioners some observations on certain legal questions which have been raised during the taking of evidence before the Commission, and on the legal position of the Company.

I.

It was alleged by one of the witnesses (Mr. J. Beal) that the original charters of the Companies were invalid as being beyond the power of the Crown to grant. This contention was rested on the 13th (not the 16th) section of Magna Charta (evidence, question 828), whereby it was enacted, or rather declared, as follows:

"The City of London shall have all its ancient "liberties and free customs as well by land as by "water; futhermore we will and grant that all other "Cities and Boroughs, and Towns, and Ports shall "have all their liberties and free customs." The City of London was, it should be remembered, at the date of Magna Charta (A.D. 1215) already incorporated, and the declaratory clause cited, whilst it confirms the corporate rights of London and all other Cities and Towns, does not otherwise abridge the power of the Crown to grant Charters to Companies for the regulation of particular Industries. But it is said that the right of search granted to the Goldsmiths' Company (as well as to other Companies) by the Charter of Ed. 4 is "not "consistent with the liberty of trade; the right of "search was granted and was bad, and if that is bad "the Charter is bad" (Ev. 829). But even assuming the right of search is inimical to trade it does not follow that the Crown could not grant it; nor, again, if the right of search be inimical to trade, and for that reason could not be validly granted, does it follow that a Charter professing to grant it is void altogether. It is, however, unnecessary to make any lengthened observations on the allegation that the Charters were *ultra vires.* They have now been acted on for centuries, and any objection to their initial validity could not certainly, after such a lapse of time, be successfully sustained (Ev. 986—990), and with reference to the Goldsmiths' Company in particular, Parliament has repeatedly recognised the validity of their Charters. Thus the 12 Geo. 2. c. 26. contains a recital that the "Wardens and "commonalty of the Mystery of Goldsmiths of the City "of London are, and have been, a guild, or corporation, "time out of mind, with divers privileges confirmed "and enlarged by several Charters from His Majesty's

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* Since this was written I have received from the chief officer of the assay office (Bureau de la Garantie) in Paris, the following note, in answer to questions which I addressed to him:—

1. La Loi du 19 Brumaire est encore celle qui regit toutes les operations de la garantie en France.

Les ouvrages d'or, 1*er*, 2*d*, et 3*e* titres, qui sont d'une dimension qui permet la grattage pour la prise d'essai, sont essayés à la coupelle et marqués du poinçon à la tête de medecin grec—No. 1, 2, ou 3—qui garantit le titre—920, 84 0 750. Ceux qui ne peuvent subir la prise d'essai sont essayés à la preuve de touche et marqués d'un poinçon special (tête d'aigle), qui garantit le payment des droits et un titre *approximatif* au dessus de 650.

2. Les ouvrages d'argent au 1*er* et 2*d* titre qui peuvent supporter la prise d'essai sont essayés à la coupelle et marqués des poinçons tête de minerve 1 (950), tête de minerve 2 (800).

Ceux qui ne peuvent supporter la grattage sont essayés à la preuve de touche et marqués du poinçon à la tête du sanglier.

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"royal predecessors, Kings and Queens of this realm, "amongst other things for the *searching*, assaying, "supervising, marking, and regulating wrought plate "in order to ascertain the standard thereof, for the "good and safety of the public:" so far therefore as regards this Company, any objection to the validity of their Charters, on the ground of an illegal right of search having been conferred, seems to be absolutely unfounded.

II.

Another witness (Mr. E. J. Watherston) expressed an opinion that the Charters of the Companies have been forfeited by their dissociation, either wholly or in part, from the crafts with which they were originally connected (Ev. 1014), or by the distribution of their funds for purposes foreign to those originally intended (Ev. 1074). This opinion, at all events, so far as concerns the severance between crafts and Companies, appears to be shared by Mr. J. R. Phillips (Ev. 1331), With regard to the severance between the Crafts and Companies it is unquestionably true that in fact there is, more or less, such a severance. It arises in the Goldsmiths' Company, as in others, from the method in which, from a very early period, the freedom of the Company has been acquired. If "servitude" had been the only method of acquiring it the severance would, no doubt, have never taken place. But from a very early period it could also be acquired by (*a*) patrimony and (*b*) redemption. Every freeman's son born after such freeman was admitted to the freedom is entitled to be made free at 21 years of age, and any person duly proposed, balloted for, and approved, is empowered to buy his freedom. Those systems of obtaining the freedom of the Companies were notorious long before the date of many of their confirmatory Charters, and, inasmuch as they necessarily involve the incorporation of non-trade members, the fact of their existence cannot be a ground of forfeiture of the Charters. Nor could it be a ground for questioning the title of the Companies to gifts of testators and others made with knowledge of the prevailing practice. With respect to the Goldsmiths' Company there can be no doubt that at the date of the Charter of the 17th of James I., which confirmed to this Company the bulk of their estates, the character and composition of the Company had become substantially what they are now. As to the alleged diversion of the property and functions of the Companies from trade purposes, that cannot, under the circumstances of the case, be objected against the Goldsmiths' Company. They have been invested by Statute with important functions, and it cannot be urged against them that they have in any particular failed in their duty.

III.

But it is further suggested that the Charters of themselves constitute a trust (Ev. 350) and that the Companies are bound to make a public use of the money which belongs to them (Ev. 1282–1284). Their property is alleged to be "in no sense private property" (Ev. 1321) "all the Corporate property" said Mr. J. R. Phillips (Ev. 1381), "is coupled with trusts, and I base that opinion not "only on my own knowledge, which is very humble "in itself, but upon the opinion of Lord Selborne, the "present Lord Chancellor, with regard to the property "of the Inns of Court which are not incorporated." The analogy thus suggested between the Inns of Court and the Companies is, it will be found, entirely without any basis, either of fact or of law. It is an analogy moreover distinctly repudiated by the Lord Chancellor. In his evidence before the Commission (Ev. 1680) he observed upon this point in the following terms:—"If "I am permitted to say so, I see that a gentleman who "has appeared before this Commission has referred to "a speech which I made in the House of Lords about "the Inns of Court, as if it were to be inferred from "that, that I thought the Inns of Court and the City "Companies were *in pari conditione*; I do not think so "at all, the reasons that lead me to think the Inns of "Court a public Institution have no application what-"ever to any Company, or at all events to the only "one I know, that is the Mercers' Company, not the "slightest." What then is the true legal position of the Companies? The answer is given in clear and unmistakable language by the High Authority just quoted. They are "absolute and perfect masters of "their own property." . . . "In point of law the City "Companies are absolutely entitled to their property "in the same manner, and as fully as a private owner "would be, and under no trust whatever. Of course "it will be understood that I do not speak of estates "which have been given to them on any special "trusts." . . . . . There may be a greater moral responsibility but not any greater legal right. . . . . "They "are ancient Institutions; the funds which I call their "own property were derived as far as my knowledge "extends from their own subscriptions and gifts by "their own members and others, intended to be for "their absolute use; and although I do not think the "present generation ought to put those gifts into their "pockets, yet on the other hand I cannot admit for a "moment that they are upon the footing of public "trusts" (Ev. 1682–1684), and again (Ev. 1695) the Lord Chancellor stated that he knew of no legal limit to the control of each Company over its property (not subject to any special trust) nor of any "*equitable* limit, "in the legal sense of the word equitable." In the case of the Attorney General *v.* the Fishmongers' Company (6 Bea. 550) nothing can be more emphathic than the language of the Master of the Rolls. "The argument" he says "might be very well provided you were not "encroaching on a revenue, which according to the "construction which it appears to me ought to be put "upon this codicil, belongs as private property to this "Company. If the testator has fixed on certain sala-"ries which fail to provide for the fulfilment of his "intention it is, no doubt, very much to be regretted, "but you cannot, at the expense of the Company to "whom the testator has given a beneficial interest, "take that interest from them." It is impossible usefully to add anything to these expressions of opinion. At the same time it may be permitted on behalf of the Goldsmiths' Company to claim for themselves what the Lord Chancellor claimed for the Mercers, that they have always administered their funds for charitable and useful public purposes. They cannot acknowledge any legal or equitable obligation with regard to property not impressed with specific trusts; but they most cordially assent to the Lord Chancellor's view, that "the "City Companies, assuming them to be, as I believe "them to be, in law absolute and perfect masters of "their own property, as distinct from that which they "hold on trust, could do nothing better with their "property than promote objects which were for the "public interest" (Ev. 1682). That has been their practice in the past, and will be their practice in the future.

IV.

Again Mr. Beal contends (Ev. 698–834) that the Companies are public because they are "Municipal," but if this were a correct view of their position, his contention would be opposed to a long series of decisions in the Court of Chancery. The cases referred to by Mr. Longley (Ev. 350) may be taken by way of illustration. Thus in Attorney General *v.* The Corporation of Carmarthen, Cooper 30, it was decided that a Court of Equity will not interfere to prevent misapplication of Corporate funds, as distinct from funds held by a Corporation on express trusts, and in Mayor of Colchester *v.* Lowten, 1 Ves. and Beames 220, the same rule was laid down and acted upon, Lord Eldon refusing to interfere to prevent the alienation of Corporate property not affected by charitable trusts. Whether, therefore, the Companies are regarded as "Trading" or "Municipal" the attempt to attach the doctrine of trust to their general Funds equally fails.

V.

It remains to add a few words upon the true legal position of the Companies, and more particularly of the Goldsmiths' Company, with regard to the property which they hold. Much that is applicable to that Company, is no doubt applicable to others, and the following observations, which directly apply only to it, may be taken, in many respects, as illustrative of the position of all.

It will be seen from the remarks already made that there is absolutely no foundation, either for the suggestion that the Charters of the Company are invalid, o

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that they have been forfeited. The Company is unquestionably a lawful subsisting Corporation. But then it is said that the mere fact of their property being "corporate" in some way affects their right to deal with it. Property, however, does not become public simply because it belongs to a Corporation. If that were the case it might be asserted that the property of every Joint Stock Company is on the footing of a public trust.

There is no authority whatever, it need hardly be said, for such a proposition. Numerous cases have dealt with the question of a Corporation's right to use, under certain circumstances, the surplus or increment of trust property. But in all it has been assumed that a Corporation or Company might hold property for its own benefit, and the only point for discussion has been whether, upon the technical interpretation of a donor's or testator's intention, the Corporation or Company were entitled to use for their own benefit such surplus or increment. This, of course, depends upon the language of the benefactor, whose intention must, if possible, be discovered, either by reference to his action during his lifetime, or in some other way. Attorney General *v.* Brazenose Coll., 2 Cl. & F. 295. Attorney General *v.* Skinners' Company, 2 Rus. 407. Attorney General *v.* Dean of Windsor, 8 H. L. Cases 369.

It is unnecessary, however, to do more than refer to this class of cases, for it is not alleged that the Goldsmiths' Company have, in any instance, improperly devoted to their own use any property, or the surplus income of any property, left or given to them upon any specific trust. They have throughout duly administered all their *trust* estates in accordance with the principles laid down for the guidance of Trustees in the above cases, to which may be added the following additional Authorities. Attorney General *v.* Mayor of South Molton, 5 H. L. C. 1. Attorney General *v.* Mayor of Beverley, 6 H. L. C. 310. Attorney General *v.* Caius College, 2 K. 150. Attorney General *v.* Drapers' Company, 2 Beav. 508. Attorney General *v.* Coopers' Company, 3 Beav. 29. Merchant Taylors' Company *v.* Attorney General, L. R. 6 Ch. App. 512, per James L. I., at p. 518. Attorney General *v.* Wax Chandlers' Company, L. R. 6, H. L. 1.

In early times when property was frequently given by deed or will to provide for Masses and Prayers for the souls of deceased persons, Corporations were often chosen as the Trustees of such purposes on account of their perpetuity, and much property came to the City Companies in this way. At the Reformation all such uses were put an end to by Act of Parliament, and all property held upon trust for such purposes was vested in the Crown. The Goldsmiths' Company thus suffered in common with others a large diminution of their estates. A very considerable part of their present property was bought back by them from King Edward the VIth, and has thus become vested in them under circumstances which absolutely forbid the notion of its being encumbered with Trusts of any description. This grant of Edward VIth was confirmed and enlarged by an Act of Parliament of 4th of James the 1st, and the Company, therefore, hold the bulk of their property by nothing less than a Parliamentary title. It seems almost superfluous to add, but it is the fact, that lands held by the Fishmongers' Company under similar circumstances, and confirmed to them by the same Act of Parliament, were held by Lord Langdale to be the absolute property of the Company and subject to no charitable trusts whatever (Attorney General *v.* Fishmongers' Company, 2 Beav. 151). In respect of these large portions of the Company's estates, the title is clear, the documents of title speak for themselves, there is no room for any *presumption* to spring up, and unless at the moment when the Company purchased the property from the Crown a trust was impressed upon it, there can be none now. Neither the grant, however, nor the statute confirming the grant, contains a word in qualification of the absolute ownership they profess to convey, the old Trusts for superstitious uses had been abrogated by the legislature, the whole value of the property originally appropriated to those uses had been vested in the Crown, and the purchase money for the new grant formed part of the general Corporate property of the Company. It could not have represented anything held in Trust for superstitious uses. There is no evidence whatever, and no ground for supposing that it represented any other Trusts.

The case cited is one of great authority, and gives the sanction of express decision to the view enunciated.

The Company have from time to time sold portions of their property, and their right to do so has been the subject of consideration by the most eminent and learned conveyancers, including the Conveyancing Council of the Court of Chancery, and in no instance, so far as I am aware, has a doubt been entertained of their power to make a good title to the property sold.

The attack made on the Companies is not directed to their administration of property held by them upon special trusts, but rests on the assumption that all their "Corporate" property is "public," whether it was acquired by them for charitable purposes or for purposes connected with trade, or by gift or purchase expressly for the benefit of the Companies themselves. The baseless character of this assumption has been already, it is submitted, sufficiently indicated. No authority can be cited for it, and the comparative absence of direct authority the other way may be accounted for by the circumstance that no lawyer has hitherto ventured seriously to maintain it. In the recent case of *Brown v. Dale* (9 Chanc. Div. 78) the decision recognises the unlimited control of a trade Society or Guild over its property. There, upon a sale of land, it was held that the Members of the Society for the time being were entitled to divide the proceeds in equal shares, there being no rules or provisions as to its disposition. The Court thus treated the Members exactly as though they were partners in a private adventure.

VI.

In conclusion, the Goldsmiths' Company venture to submit the following legal propositions to the notice of the Commissioners.

1.—The Company were by Royal Charters legally created and are now a legally subsisting Corporation.

2.—The Charters were not *ultra vires.*

3.—The Charters have not been forfeited either by the partial severance of the Company from the Craft, or by any improper diversion of the property of the Company. There has been no improper diversion by them of their property.

4.—The control of the Company over property acquired by them by gift or purchase and not expressly affected by any special trust is absolute, and they are not fettered in its use by any legal or equitable obligation.

Whilst thus insisting upon their legal rights the Company desire to repeat that they have always recognised the propriety in dealing with their own property of striving to promote objects of public interest, importance and utility. They beg leave upon this matter to refer to the answers they have given to the Commissioners' enquiries.

I am, Gentlemen,
Your obedient Servant,
WALTER PRIDEAUX,
Clerk of the Goldsmiths' Company.

OBSERVATIONS which SIR FREDERICK J. BRAMWELL and MR. PRIDEAUX desire to address to the COMMISSIONERS on behalf of the GOLDSMITHS' COMPANY.

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Mr. Prideaux desires, in the first place, to refer to the printed letter addressed by him on behalf of the Goldsmiths' Company to the Commissioners in November last; he desires either to read that letter to the Commissioners, so that it may be embodied in his evidence, or that it may be printed as an appendix to his evidence, and as having been referred to therein by him.

He desires to make a correction at page 31 of the letter. The case referred to there is the Attorney-General against the *Grocers' Company*, and not against the *Fishmongers' Company* (6 Beavan 520).

Sir Fredrick Bramwell and Mr. Prideaux desire to refer to the returns made by the Goldsmiths' Company to the Commissioners in answer to their inquiries. Those returns they believe to be as full and as complete as it would be possible for the Company to give, to the inquiries of the Commissioners; and the Goldsmiths' Company desire, in referring to those returns, to rest thereon their claim, not only not to be interfered with, but to a favourable report on the part of the Commissioners upon the state of things regarding the Company which by those returns is disclosed.

Evidence affecting the Goldsmiths' Company.

The evidence given affecting the Goldsmiths' Company in particular is of the most contemptible kind, a great deal of it is absolutely untrue, as is shown by the letter above referred to.

The witnesses against the Livery Companies in general really appear to be only three persons, viz.:—Mr. Beal, Mr. Phillips, and Mr. Gilbert.

Mr. Beal is certainly the chief assailant. He speaks with the greatest confidence, appeals to Magna Charta, and brings against the Companies charges of malversation of the grossest kind.

r. Beal.

All three of the witnesses appear to have been writers in the public papers, or in periodical publications, through which they have endeavoured to create an opinion prejudicial to the Livery Companies.

Mr. Beal says he is the writer of articles signed "Nemesis," in the "Weekly Dispatch," and "Father Jean," in the "Echo."

r. Phillips.

Mr. Phillips says he has written articles which have appeared in various periodicals upon questions which in this Commission are being considered, and that he is the author of letters signed "Censor."

r. Gilbert.

Mr. Gilbert states that he was consulted by some of the guardians of one of the poorer parishes in the city, and asked by them to write a pamphlet upon this subject, and after he had done that he wrote some articles in the "Contemporary Review," "The Fortnightly," and "The Nineteenth Century," and a couple of books upon the question.

Mr. Beal ut-orthy?

With regard to Mr. Beal, we think we may ask the Commissioners to consider whether he is trustworthy. We ask them to compare his statements with the returns which have been made by the several Companies, and thereby to ascertain whether these statements are correct. The memorandum sent to the Commissioners on the part of the Merchant Taylors' Company will show how entirely he has misrepresented the case of Donkin's Charity, and he has stated that the site of the Grocers' Hall is included in Keble's Trust, meaning that it was subject to the trusts of Keble's will, whereas it will be found from the returns of the Grocers' Company that Keble's will was made more than a hundred years later than the time when the property was acquired by subscriptions from the members of the fraternity. These are two of many statements which might be referred to as examples of Mr. Beal's inaccuracies; others will appear in the course of the observations which I propose to make.

is misre-resenta-ons.

Ir. Phillips: ord Sel-orne's cor-ection of.

With regard to his evidence on the subject of the invalidity of the charters of the Company, and of their title to their general corporate property, we need only observe that he has shown himself to be entirely ignorant of the law; and with regard to Mr. Phillips's opinion thereon, whose opinion, considering that he is a barrister, might appear to be of some value, we desire to call attention to his misrepresentation of the effect of the speech made by Lord Selborne in the House of Lords in 1877, and to the correction which he received from the Lord Chancellor, delivered to him on the 21st June, 1882, in his Lordship's evidence before the Commissioners.

Mr. Watherston.

With regard to the evidence of Mr. E. J. Watherston, a disaffected member of the Goldsmiths' Company, who has informed you that he desired to disestablish the Company, we will say no more than what has been stated in the letter addressed to the Commissioners in November last.

Recommended appropriation of the Corporate Property by the State or some Public Body.

The Commissioners have been asked by these witnesses, either directly or indirectly, to recommend the appropriation by the State, or the transfer to some person or persons (it does not appear clearly whom) of the general corporate property of the Company. And this demand has been made entirely on the assumption that the general corporate property of the Livery Companies is impressed with a trust. This is an entirely unfounded assumption. There is no ground for it whatever; in proof of which we appeal confidently to the opinion of the Lord Chancellor, given before the Commissioners, and to the legal decisions which have been delivered from time to time on the subject; consequently if the assumption upon which the demand has been made is unfounded and fails, the demand itself must fall to the ground, and it is manifest that the property of the Companies cannot be dealt with, or the revenues thereof appropriated, except by what would be tantamount to an act of confiscation.

No endowment from the Crown. Property created by the subscription gifts and devises of members.

The Goldsmiths' Company received none of their property by way of endowment from the Crown, or from any person or persons outside the Corporation itself. Its property was originally created by subscriptions and contributions from amongst the members themselves, and from gifts and devises made to them by members of their own body.

Purchase from Edward VI.

From the funds so acquired, a very considerable portion of their property was purchased from the Crown, after it had become vested in the Crown by the statute of the 1st of Edward the Sixth, and there is no more ground for interfering with it then there would be for the State to dispossess those landowners whose ancestors, after the abbey lands became forfeited, received grants of them from the Crown. If there really be any question as to the right of the Company to deal as it pleases with its general corporate property, the Companies claim that the question be decided by a court of law in the due administration of justice, and not by the opinion of Messrs. Beal, Phillips, and Gilbert.

Original intention of Foundation.

The original intentions of the founders of the Company are shown by the Company's returns: the protection of their trade or mystery was one of them, but there can be no doubt that there were other objects of a charitable and social character. In point of fact it was (to use the old name) *a fraternity*, and hospitality and social enjoyment amongst themselves were amongst its objects. It is clear that there has been, by an unbroken practice of at least five centuries, an indefinite and arbitrary, but a substantial, portion of their income applied to hospitality and entertainments. The expenditure in the year 1367 of 21*l.* 8*s.* 9*d.* upon a single entertainment, the value of money and the amount of the then property of the Company being taken into consideration, is an outlay which may compare with the costliest entertainment of modern days; and from that time down to the present such an application of a part of the Company's income has been habitual and continuous.

Entertainments.

Upon the subject of the cost of these entertainments there has been the grossest exaggeration; and, indeed, the publications of the assailants of the Companies

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which preceded the appointment of the Commission are full of erroneous and prejudicial statements which never ought to have been made.

'Municipal London": Incorrect statements in.

We will mention a few of them. In a book entitled "Municipal London," published in 1876, we find it stated at page 52 that "in those Companies where "admission to the governing body is a matter of "seniority, it is customary for members to enter their "sons on the rolls of the Company before they are "breeched, so that they may have substantial benefit "from it in their early manhood." This is manifestly untrue, for no man can be admitted to the freedom and enrolled a member of any of those Companies until he is 21 years of age. Then at page 53 it is stated that "no advantage is, as a rule, now offered to any member "of the particular trade who may wish to become a "member of the Company, but he would be required "to pay as much as anyone else." This is untrue as regards the Goldsmiths' Company, for a member of the trade or craft only pays half the sum paid by a person who does not belong thereto. Then at page 56 it is stated that "it is a matter of common repute that the "estates of Companies are often leased to members at "absurd rentals, enabling the lucky lessees to make "an excellent profit in re-letting them." Upon this assertion we wish specially to remark.

Especially as to sub-letting;

The Commissioners, by their interrogatories, asked us to give an account of our property and of the leases under which it was held, with the name of the lessee or occupier, *and it was asked whether he was a Member.* After having read the passage last referred to in the work entitled "Municipal London," we can now understand what induced the Commissioners to make this inquiry. Now, although we cannot see any objection to a lease being granted to a member at the market value of the day, yet, as a matter of fact, in the case of the Goldsmiths' Company, Mr. Prideaux, in his long experience, does not know of any case in which any portion of their property has been leased to a member; and we believe the same may be said of the other principal Companies. The statement, therefore, is a very calumnious one.

Advantages.

and advantages of membership.

The author, in the same page, speaks of the advantages which a member of the court of a City Company obtains. He speaks of the salary as if it was one of a very large amount. Now, a member of the court of the Goldsmiths' Company, if he be neither a warden nor a member of the Committee, were he to attend every court in a year, would receive under 50*l.*

The writer then says, "in addition to their salaries "they sometimes find a bank note delicately secreted "under their plates." So far as regards the Goldsmiths' Company, this is untrue, and we do not believe there is any foundation whatever for it as regards any other Company.

He then says that relations may be educated in the Company's schools and then accommodated with exhibitions in the University free of expense.

The Goldsmiths' Company have established 76 exhibitions at the Universities, which are given by competition and not by favour, and I never knew of anyone who was related to, or connected with, a member of the Court of the Goldsmiths' Company who held one of these exhibitions.

Connexion with trade.

Furthermore, the writer says, at page 68, that "the "Charters of all the Incorporated Companies expressly "state them to be composed of working members of "the different trades or mysteries which they repre"sent." This, again, is incorrect. At the time when the later charters were granted, a great number of the members of the fraternities were notoriously persons who did not belong to the trades whose names the Companies bear, and at the date of the letters patent of James I. of the 24th July 1619, by which the King confirmed to the Goldsmiths' Company the possession of all the property which they then possessed, specifying the houses and tenements in a particular manner, neither the members of the Corporation nor of the Governing Body were exclusively members of the trade. Indeed, there is every probability that the majority of the members were not connected therewith.

Pensions.

At page 73 of the same book, the writer says, speaking of the Goldsmiths' Company: "It is commonly "reported, with what truth we know not, the pension "of a decayed Goldsmith is in some cases as much as "300*l.* a year." An examination of the returns made by the Goldsmiths' Company will show how utterly unfounded this statement is.

Again, at page 85, we find the following passage in a note: "It is said that the Goldsmiths expend more "than 30,000*l.* per annum in dining, and the Fish"mongers, Ironmongers, Clothworkers, Skinners, and "Grocers are not far in the background."

En me

An examination of the returns of the Goldsmiths' Company will show that the expenditure on entertainments, including, of course, wines, on an average of 10 years has been under 6,000*l.* a year, or about one eighth part of the total income of the Company.

Mr

Many of these erroneous statements are repeated in Mr. Gilbert's book, entitled "The City," published in 1877. This writer, moreover, quotes a letter from the "Weekly Dispatch," signed "Nemesis," in which the writer says of the Goldsmiths' Company that it has a total assumed income of over 150,000*l.* per annum, of which we have no account except as regards certain properties which he specifies, and of these properties he mentions the following:—

6 houses at Alb. Hay,
5 ,, at Halle, and
6 ,, at Malton,

of which houses or places we never heard, nor have we the smallest idea to what properties he alludes.

Mr. Firth's Propositions.

In the work intituled "Municipal London," the writer sums up his case against the livery companies in nine propositions, all of which are, either partially or entirely, unfounded, except so far as they contain matter of opinion.

Connexion with Municipality.

Int par por

The first proposition is that "the Livery Companies "are an integral part of the Corporation."

This is directly contrary to the decision of the judges delivered in a judgment in error in 1775, which reversed the disfranchisement of Mr. Alderman Plumbe upon a prosecution of the common serjeant in the Lord Mayor's Court, for refusing to summon the livery of the Goldsmiths' Company, of which he had been at the time prime warden, to attend at Guildhall to hear His Majesty's answer to the humble address and remonstrance of the Corporation of London, in the mayoralty of Mr. Alderman Beckford, on which occasion Lord Chief Justice de Grey is reported to have said: "Thus "far we know that the constitution of the city of "London does not contain these companies. I mean "originally and from their charters and all prescriptive "rights: it is by subsequent action that they came "now to bear the relation they do to these companies "as livery. The livery are not formed out of their "corporate body, some of them are supposed to have "existed immemorially. They are not created by the "King, but if it was a grant from the King they are "not essential to the constitution, but might exist "independently of it; therefore, whatever their con"stituent parts, their obligations, duties, powers, "customs, and rights are, either as altogether or as "individuals, they are no part of the city customs, but "a subordinate detached and independent body—I "mean independent with regard to their original in"stitutions." And in another part of his judgment the Lord Chief Justice says: "Much less have we "judicial knowledge of the particular subordinate "rights of fraternities, companies, and guilds which "make a part of the city, though not a part of the "Corporation of the city originally, nor of their sub"ordinate power, duties, and offices."

Misre senta Mr. B

Now, with regard to this matter, we have to make a very grave complaint. It is this, that Mr. Beal in his evidence before the Commissioners has actually represented that the judgment was in favour of the Corporation instead of the Goldsmiths' Company.

By question 824 he was asked by the hon. member for Chelsea, "Have you read the decision in the case of "the Refractory Companies in 1775, when between "the Corporation and the Goldsmiths' Company the "question was contested?" to which he answered "Yes." He was then asked, "What was the effect of "that decision?" to which he replied, "The Com"panies were found to be in the wrong, and that they "were an integral part of the Corporation, and it is "fully set out in your own book, 'Municipal Lon"don;'" and on referring to "Municipal London," page 43, we find in a note it is stated that in the case of the trial of the Refractory Companies in 1773, "the "Warden of the Goldsmiths' Company was successfully "prosecuted in the Mayor's Court for inattention to a "summons to Common Hall on other that election "business."

The truth is that an information of disfranchisement was filed against Mr. Alderman Plumbe in the Mayor's Court, and a verdict given for the plaintiff. The defendant obtained a writ of error, and the judgment was reversed by a Court of Error on the occasion above referred to. It is manifest that if Mr. Beal's evidence, and the statement in "Municipal London," had passed unnoticed and uncorrected the Commissioners might have been entirely misled.

The fact is, that the liverymen have the right of voting for some of the city officers (not all) if they are also freemen of the city of London; but a citizen may be a freeman and a liveryman of a company without being a freeman of the city of London, and it is possible that none of the members of a company might be free of the city. Some of the companies have no livery, and that this was so, so far back as the middle of the 17th century, is shown by the recitals in an Act of the Common Council passed on November 4th, 1651, which are as follow: "Whereas by the ancient "charters granted and confirmed to this city, the "election of the mayor, sheriff, and other officers of "the said city ought to be by the citizens or com- "monalty, whereby it is evident that the commonalty, "either personally (if without confusion it might be "done) or by their representatives chosen by them for "that purpose, were to have votes on all such elec- "tions; but of later times the masters, wardens, and "liveries of the several companies of this city have "used and taken upon them, with the exclusion of all "other citizens, to make the said elections, which "practice of theirs seems to be grounded upon an Act "of Common Council, made the 23rd day of September, "in the seveth year of King Edward IV., before which "time the same elections had been made by a certain "number of persons chosen out of every ward for that "purpose, as appeareth by an Act or Order of the "Common Hall, made in the 20th year of King "Edward III., whereby to avoid inconveniences which "happened before that time in general assemblies of "the citizens, the method of elections by representa- "tives was appointed. *Now, forasmuch as divers com- "panies of the citizens of this city have no livery at all, "and so have no manner of vote in the elections by liveries, "and for that by the constitution of most of the other "companies, the liveries thereof are not chosen by the "whole brotherhood but by a few, as namely by the "wardens and assistants only*, and thereby the greatest "part of the citizens, members of those companies, "are also excluded from having any vote, either in "person or representation in the elections before men- "tioned; and so that great privilege of choosing their "mayor, sheriffs, and other officers is wholly taken "away from them to their great great grief, occasioning "thereby their often complaining."

Before the year 1835 no person could be admitted to the freedom of the city who did not belong to one of the trade companies, but by a resolution of the Court of Common Council of the 17th March 1835, this condition was repealed, and it is no longer necessary that a freeman should be a liveryman, or a member of one of the city companies.

This first proposition of the author therefore we maintain is entirely unfounded, and is directly contrary to a legal decision cited by him in support of it.

Public Trust Property.

The second proposition is, that "The property is "public trust property, and much of it is available for "municipal purposes."

This we submit has been shown to be unfounded by the remarks which we had the honour to address to the Commissioners in November last, and by the preceding statements.

London Tradesmen and Artizans.

The third is, "The companies are trustees of vast "estates of which London tradesmen and artizans "ought to be the beneficiaries, but such trusts are "disregarded."

This is untrue, for all the trusts reposed in the companies have been faithfully fulfilled.

Estates applicable to charitable uses.

The fourth proposition is, "The companies are also "trustees of estates applicable to charitable uses. "They fail to apply to such uses the funds fairly "applicable to them."

This, again, is untrue. With regard to the Goldsmiths' Company, we appeal confidently to the report of Mr. Hare, which has been sent to the Commissioners, a report made after an examination, at the hall of the Company, into all the charities vested in the Company, which examination extended over a period of upwards of three months.

Connexion with Trade.

The fifth proposition is, "The companies were incor- "porated to benefit trades, to restrain artizans, and "to repress bad workmanship. They perform none of "these functions."

The Goldsmiths' Company notably perform all these functions at the present time. They are entrusted by statute with the supervision of the trade, and they help to train artizans by offering prizes for excellence in the design and execution of works in the precious metals.

Companies to be Members of Trade.

The sixth proposition is, that "The companies are "by charter to be composed of members of a given "trade in many cases, and are legally compellable to "admit members of it. They admit members irre- "spective of trade, and impose restrictions on those "who are admissable."

We know of no law which would compel the Company to admit any person a member of it, unless he were entitled to become a freeman by servitude or patrimony; and that they have admitted members, irrespective of trade, from time immemorial, is notorious.

Companies subject to the control of the Corporation.

The seventh proposition is, that "The companies "are subject to the control of the Corporation; but as "the members of that body are members of the com- "panies also, and are promoted in the latter concur- "rently with their advancement in the former, such "control is never enforced."

That some sort of control was exercised by the Corporation in ancient times there is no doubt. It has long ceased to be exercised. The Municipal Corporation Commissioners, in their report of the year 1837, say: "The Corporation possesses a very slight, indeed "hardly more than a nominal, control over the com- "panies."

Companies subject to the control of the Crown.

The eighth proposition is, that "The companies are "subject to the control of the Crown, and their lands "and monopolous privileges were only granted on "condition that they performed certain duties. They "have ceased to perform the duties, but they continue "to hold the lands."

This is not true. The companies are not subject to the control of the Crown. The Goldsmiths' Company have stated in their returns, at page 58, that it is an established principle of law that the Crown cannot derogate from its own grant, and that when a charter has once been granted, the Crown cannot afterwards interfere with the operation of its provisions, or with the privileges, rights, and liabilities incident to a corporation. This statement, we contend, is a true representation of the law; and, with regard to the assertion that the companies continue to hold the lands granted to them on condition that they performed certain duties, we have to remark that it does not appear that any lands were granted to the companies by the Crown, excepting those for which they paid, and that the lands that are held by the companies, and which constitute their general corporate property, were, for the most part, given to them by members of their own body, either upon trusts which have been duly performed, or without any trust for their general corporate purposes, and many of these gifts and devises were made at times when most of the companies had ceased to perform any duties whatever.

Lands in hands of Corporations.

The ninth and last proposition is that "The con- "tinuance of a large amount of land in the heart of

Goldsmiths' Company.

"the city and in the north of Ireland in the hands of "corporate and unproductive bodies is a hindrance to "commerce and a loss to the public revenue."

Upon this we have to remark that there is nothing to prevent a corporation from changing the investments of their property.

If they were prevented from alienating their real property there might be some ground for the opinion here expressed; but they can sell in the same manner as any private proprietor. As to the public revenue, we have always considered that it would be right for corporations like those of the city of London to pay succession duty at stated periods.

This ninth proposition having been stated, the writer concludes with the remark that "if these propositions "are established by the report of such a commission, "there will not be much doubt as to what ought to be "done with the Livery Companies;" and so he dismisses the case, apparently with perfect confidence as to the result.

Entertainments.

Difference between France and England.

To refer again to the subject of expenditure made on entertainments and hospitality, we wish to remark that entertainments, such as those of the Livery Companies, not only afford much enjoyment to the members of the companies themselves, but that they do real good in bringing together people of different classes and of different opinions. They are, in point of fact, English institutions; and the difference between the effect which is produced amongst Englishmen by differences of opinion, on matters of politics especially, from that which exists in the nations of the Continent, especially in France, may, we think, be traced to a great extent to the habit which Englishmen have of meeting together for purposes of good fellowship and conviviality. When a man who has rendered great services to his country abroad, returns to England, one of the first things that Englishmen do is to give him a dinner, which affords to a vast number of people an opportunity of seeing and hearing him. The Livery Companies of the city of London have enrolled amongst their members some of the most eminent men in England in all the professions. These men are frequently entertained with other persons at their halls, and it cannot be denied that these entertainments give them an opportunity of exercising an influence upon the community at large.

Opinions of M. Odillon Barrot and M. de Lesseps.

Mr. Prideaux remembers two eminent Frenchmen, each of whom, on separate occasions, after having dined at Goldsmiths' Hall, remarked to him how much he regretted that there were no such institutions as these companies in France. Those two persons were the late M. Odillon Barrot and M. de Lesseps.

In mentioning these entertainments we feel constrained to allude with indignation to a passage in Mr. Beal's evidence before the Commissioners.

Mr. Beal.

Mr. Beal says, in answer to question 726, "A dinner "at Goldsmiths' Hall is not a very elevating sight, and "I think that the emptying of the halls is a still less "elevating sight."

This remark is gratuitously insulting. A dinner at Goldsmiths' Hall is conducted with as much decorum as any dinner of any body of gentlemen in the kingdom. It is not likely that Mr. Beal was ever asked to a dinner at Goldsmiths' Hall. Certainly he was never asked by any member of the governing body. We can only regard the above remark as a calumny of his own invention.

Mr. Phillips.

Before quitting the evidence of Messrs. Beal, Phillips, and Gilbert, we have to remark upon certain other passages therein. Mr. Phillips states he is the author of two articles in magazines, one in "The British Quarterly Review," the other in "Fraser." He is also the author of articles in papers signed "Censor." In answer to question 1470 he says: "Never in my life by "one word that I have ever written have I suggested "any dishonour to any single member of those com"panies."

This may be literally true. He has been too cautious; for to have singled out and named a member and imputed dishonour to him would have rendered him liable to the law of libel; but in one of his publications is the following passage, viz.: "The conduct of the companies "has been such in their trusts as, if they had been pri"vate individuals, would have subjected them to be "treated as criminals."

And of the Goldsmiths' Company he says: "It would "be the easiest thing in the world to multiply instances "of this kind which show a dereliction of duty and a "meanness which is truly despicable."

If this is not imputing dishonour we know not what dishonour is.

Education.

One of the points made by the three witnesses has been that what the Company have done in the promotion of objects of public utility, and especially of education, has been done of late years in consequence of the agitation which was instituted by themselves, or the persons whom they represent. In refutation of this, the Goldsmiths' Company appeal confidently to their own history.

Comp poor a comm ment centur

At the commencement of this century the income of the Company was very small. By good management from that time to this it has gradually increased, and the charities of the Company and their expenditure upon objects of public utility, have, during the whole of that period, been commensurate with the increase of their income. As to education, it appears to have been always a favourite object of the Company. The voluntary expenditure upon Stockport school from the year 1830 to the year 1859, and also that on the schools at Cromer and Bromyard, as stated at page 56 of the Company's returns; the establishment of 76 exhibitions at the Universities, as also stated in the same return; the aid given to the Society for the Promotion of the Higher Education of Women, and the prizes for the encouragement of technical education in the design and execution of works in the precious metals, established by the Company 12 years since, are evidence of this.

As it i grow richer been charit

The history of the Company's exhibitions furnishes a striking illustration of my assertion that the expenditure of the Company in charity has grown with its gradually increasing wealth. The first exhibitions were instituted in the year 1822, when three of 20*l*. each were established at each University. In 1828 the number was increased to five, and the amount to 25*l*. per annum. In 1829 the number was increased to six at each University. In 1834 it was resolved that a gratuity of 20*l*. be given to every exhibitioner who shall have graduated in honours. In 1837 three additional exhibitions were established at each University, and the amount was increased to 30*l*. a year. In 1839 two more were established at each University. In 1846 one more at each University. In 1849 five more were established at each University. In 1855 an exhibition of 50*l*. was established for a scholar of the City of London School. In 1860 an exhibition was placed at the disposal of Mr. Chase, the Principal of St. Mary Hall, for the encouragement of students at that hall. In 1865 the exhibitions were increased to 50*l*. a year. In 1871 ten more exhibitions were established at each University. And in 1876 the like number; so that at the present time there are 37 at Oxford and 37 at Cambridge, besides an exhibition at St. Mary Hall, and one for a scholar of the City of London School.

The Company have given the Commissioners what they asked for in presenting them with a detailed account of the expenditure of the Company for ten years. They would be perfectly ready to give such a statement for the last 30 years; and such a statement if given would show a gradually increasing charity expenditure, made out of the general corporate property of the Company, which has been continuous and commensurate with its increasing income.

In order that the Commissioners might have an opportunity of judging for themselves of the value of the expenditure upon general objects of charity and public interest so made, the Company have given for each year, as an appendix to their account, a list in detail of their donations, and they feel that they can confidently appeal to these details in proof of the care and discrimination with which the objects of their charity have been chosen.

Working classes benefited by the Company.

It has been the object of Mr. Beal and his friends to try to represent to the industrial classes at those public meetings of radical clubs which he has told the Commissioners he has frequented, that the working classes of the metropolis in some way or other would be benefitted by the transfer of the corporate property of the Livery Companies from the companies to some other body or trust, and used in some way for their benefit. We think, if the working classes listened to the counsels of a safer adviser, they would find that, instead of this being the case, a great deal of money which is now expended by the companies either directly or indirectly for their benefit would be withdrawn from them, and that they would not be likely to get an equivalent. Look at the expenditure in support of hospitals, dispensaries, working men's clubs, refuges, homes for working boys, orphan asylums, reformatory institutions, deaf and dumb persons, families of men who have suffered from explosions in mines, working lads' institutes, shipwrecked mariners, homes for incurables, surgical aid societies, and the pension society, asylums, and benevolent institutions connected with the trade whose name the Goldsmiths' Company bear.

Before we quit the subject of the donations made by the companies, we wish to call attention to the following passage in Mr. Phillips's article in the "New Quarterly Magazine," viz.: "Not a five pound note is "voted by a single one of the eighty odd companies "which is not ostentatiously advertised in every popu-"lar newspaper. Little do the public think that this "show of charity covers a mal-administration of trusts "and a reckless disregard of charitable intentions such "as find no parallel. The fact is, that in many cases "these votes of money to charitable purposes are nei-"ther more nor less than *conscience* money." All this is utterly untrue. The Goldsmiths' Company never advertised a donation made by them, and we do not believe that any other Company has done so. Some of these donations no doubt get into the public papers, but, in nine cases out of 10, we believe it would be found that the advertisement has come from the charitable institution benefited, and that it has been mentioned with a view to stimulate and encourage the charity of others.

As to the mal-administration of trusts, charged by the author, there is not the shadow of a pretence for the accusation. The whole passage contains a calumnious charge, for which there is no foundation—a charge which no public writer should have made without having ascertained that there were sufficient grounds for it.

Carefulness of Company as to reality of distress relieved

With regard to the expenditure on the poor of the Company, which is made by the Company as trustees of several charities, we wish to state that the greatest care is taken in the investigation of every application for relief. After each case has been visited and inquired into by a responsible officer, a written report is made to the standing committee of the Company, and, when the case comes to be considered the applicants are made to attend, if able to do so, in order that inquiries may be made of the applicants themselves. We desire to produce to the Commissioners the books containing the written reports upon these cases for the last 10 years. It is impossible, we believe, for greater care to be taken in the administration of the trusts reposed in the Company for the benefit of their poor. The amount of good done, and of real suffering and undeserved want which is relieved by these charities, is very great; and as a proof that they are administered with care and discrimination and so as not to weaken the spirit of self-dependence, we may mention that the number of members of the Company of this class who apply for assistance has been for some time gradually diminishing.

SEVENTEENTH DAY.

Wednesday, 14th March 1883.

PRESENT:

The Right Honourable LORD COLERIDGE, in the Chair.

His Grace the Duke of Bedford, K.G.
The Right Hon. Viscount Sherbrooke.
The Right Hon. Sir Richard Assheton Cross, G.C.B., M.P.
Sir Sydney H. Waterlow, Bart., M.P.

Mr. Alderman Cotton, M.P.
Mr. Pell, M.P.
Mr. W. H. James, M.P.
Mr. J. F. B. Firth, M.P.
Mr. Thomas Burt, M.P.

Mr. H. D. Warr, *Secretary.*

Deputation from Goldsmiths' Company.

14 March 1883.

Sir Frederick Bramwell, Mr. Walter Prideaux, sen., and Mr. Walter Prideaux, jun., again attended as a deputation from the Goldsmiths' Company.

2854. (*Chairman to Sir Frederick Bramwell.*) Have you anything that you wish to add to the evidence that you gave before the Commission last week ?—Yes, there is one matter that I should like to clear up with your Lordship and the Commission. In answer to Sir Sydney Waterlow's question which took me by surprise touching what the Goldsmiths' Company had done with reference to the procession on Lord Mayor's day, and also touching their treatment of the orders, as I understood, to admit persons to the freedom of the Company, I may say that I was in America last Lord Mayor's day, and could not speak therefore from my own knowledge, but I have caused inquiry to be made since, and I have here before me the following "Memorandum as to the Company's "non-attendance in the procession on Lord Mayor's "day on the 16th of October, 1882. Mr. Sheriff Savory "being a Liveryman of the Goldsmiths' Company wrote "as follows: To the Prime Warden, Wardens, and "Court of Assistants of the Goldsmiths' Company. "Gentlemen, I beg very respectfully to petition that "you will kindly grant me the usual complimentary "attendance of the Company in the procession from "Guildhall to Westminster on Thursday the 9th of "November." Mr. Savory had previously asked the Company to lend him the use of their hall for the Sheriffs' Inauguration banquet. To these letters the clerk was directed to reply, and he did reply on the 18th of October, 1882, as follows: "Dear Sir, I laid "your letters of the 4th and 16th instant before the "Court of the Goldsmiths' Company at their meeting "to-day, and with reference to your letter of the 4th "instant, I am directed to inform you that it gives the "Company pleasure to accede to your request that they "will grant the use of their hall, and ornamental plate, "on the occasion of the Inauguration dinner of the "Sheriffs of London and Middlesex. With reference "to your letter of the 16th instant, I am to say that the "Goldsmiths' Company have for a great many years "past ceased to take any part in the procession on "Lord Mayor's day, and that they regret that they "must decline to do so on the present occasion. Signed "Walter Prideaux." Then with respect to the other matter. "At a Court of Assistants held on the 17th "of October, 1781, is the following entry: Then "appeared Mr. Wright Turnell, and produced an order "from the Court of Aldermen for his admission to the "freedom of the City of London by redemption in the "Company of Goldsmiths, and requested that by virtue "thereof he might be admitted into the freedom of the "Company, and this Court having taken the same "into consideration, a motion was made and the question "put that Wright Turnell be not admitted into this "Company by redemption by virtue of the order pro- "duced from the Court of Aldermen; the same was "resolved in the affirmative." Those are two matters, my Lord, upon which I desire to supplement my former statements.

2855. (*To Mr. Prideaux.*) I have read, and I think the Commissioners generally have read, with care your statement. Is there anything you wish to correct or supplement in that statement before any questions are asked you ?—In the returns ?

2856. No, in the statement. I presume, that that is drawn up by you; it is signed at the end "Walter Prideaux" (*handing a document to the witness*). Yes; that is the letter of November. I have nothing to add, excepting a reference to a case. The case is the case of the Attorney General against the Grocers' Company, instead of the Attorney General against the Fishmongers' Company, and I have mentioned it in the observations of Sir Frederick Bramwell and myself which we have addressed to the Commissioners.

2857. That is in Sir Frederick Bramwell's statement ?—"Mr. Prideaux desires to make a correction at page 31 of the letter." (It would not be the same page as that which your Lordship has, because that is a different print.) The case referred to there, is the Attorney General against the Grocers' Company and not against the Fishmongers' Company, 6 Beavan, p. 520."

2858. Then there is nothing that you yourself desire to add ?—Nothing whatever, nothing beyond what we have stated in the observations that we have addressed to the Commissioners.

2859. As to the general legal position of the Company and the members of the Company, I take it that you agree substantially with what Sir Frederick Bramwell has said ?—I do.

2860. Do you find the number of the Court of the Company at all excessive for the transaction of business ?—No, our Court is a very much smaller Court than it was even at the commencement of this century. There were at that time 38 members of the Court, there are now only 25, and I think 25 (21 members of the Court, and four wardens) is not too numerous an assembly.

2861. In what numbers do they attend ? I think the average would be from 18 to 19 at the General Court of Assistants.

2862. Do you find 18 to 19 a convenient number for the transaction of business ?—I think so. Then from the number of the Court a standing committee is appointed of four wardens and nine members, making a body of 13, who do the greater portion of the business of the Company, who meet every other week on the general business of the Company, and every other week on the business of the Assay Office.

2863. The principle of election, as I understand is that you elect by yourselves ?—Yes.

2864. What is the principle of selection ?—I should say the principle of selection is to look out for the persons, who are members of the livery (they are all selected from the livery), who appear to the Court of

Deputation from Goldsmiths' Company.

14 March 1883.

Assistants to be most likely to conduct the business of the Company with ability and sustain the reputation of the Company.

2865. A merit interest?—A merit interest. I may say at once that I have never known a case in which two relations have been members of the Court of Assistants at the same time.

2866. The expenses of management seem large?—About 10 per cent.

2867. That is large, is it not?—I do not think so. We have a very large quantity of property to manage. Then again there is a great deal of other work to be done; I do not mean with the Assay Office, for the Assay Office is kept quite apart. At the same time the clerk and assistant clerk whose salaries are charged all have a great deal of work to do in respect of the Assay Office. I think the amount paid to the courts and committees is exceedingly moderate. Then my son has just mentioned to me that that includes the whole of the management of our 57 charities. Nothing is charged to the charities.

2868. What is the fee for attending at the Court?—The fee for attending at the General Court is three guineas, and at a Committee of the Court two guineas.

2869. Can you give me a notion of the sort of business done at a General Court. For example suppose you were to meet to day as a Court what would you have to do?—I think I can give you a very accurate idea. In the first place the minutes of all the proceedings of the committees are read over and submitted to the Court for consideration and approval, and for confirmation if they think proper. Those minutes very often occupy a considerable time in reading, they relate to a great variety of matters, everything in point of fact connected with the general business of the Company. The Court of Wardens is held once every month, the minutes are read over and those minutes also are submitted to the General Court for their consideration and approval. All matters are brought forward on notice of motion, which is required to be given at a preceding Court. Then if any member has given a notice of motion he moves it. If two or three members have given notices of motion they move them according to their seniority, and the matters are discussed.

2870. Without at all wishing to penetrate into secrets, I do not for one moment suggest that there are any secrets to penetrate, give me a notion, if you do not mind, of what sort of motion is brought forward and discussed, conceal any name you like, but give me a notion?—We will take one thing. Some time ago Sir Frederick Bramwell brought forward a motion that we should give 1,000*l.* in aid of the endowment of chemical research, that was opposed, some of the members thought that we had nothing to do with chemical research; others thought that we had a great deal to do with it.

2871. Forgive me for interrupting you, but for Sir Frederick Bramwell to give notice of motion to vote 1,000*l.* must be a little out of the way; it is not an ordinary matter of business, I suppose?—I think so.

2872. You have not many notices of motions from Sir Frederick Bramwell to vote 1,000*l.*, have you?—There are other notices given of a similar character.

2873. Of that sort?—There are various other things. A motion, for instance, that you should admit a man to the freedom by redemption.

2874. That is what I want to know, a motion to admit a man by redemption?—That would come forward in the ordinary course of business. Then there are motions connected with educational subjects, and with all these various subjects with which we are connected, and in respect to exhibitions.

2875. How long on an average does a sitting of the Court last?—A sitting of the Court lasts a little over an hour.

2876. And you say about 19 habitually attend?—I should think that would be about the average.

2877. Sir Frederick Bramwell mentioned last week that 32*l.* was the extreme limit of a regular pension?—Yes, 32*l.*

2878. He mentioned that there were sometimes donations of a larger sum; now it has been suggested, and I should be glad to know how far that is true, that these donations are practically continued?—With respect to the persons who apply for relief by petition, and who are not pensioners, we have a rule not to entertain an application until the expiration of one year after the preceding application has been entertained; and we often find that when persons apply to us for relief their infirmities and their wants continue, and that we really do have a great many applicants. We cannot have them all in the same year, but supposing that the application was made as soon as possible, there would be a period of about a year and three months before the applicant would get another donation. There are many cases of that sort.

2879. Does he practically get another donation at the end of the time?—If we find nothing unworthy; an inquiry is made on every occasion.

2880. Supposing there is nothing against the man, he gets it renewed?—He does. For instance, I remember a case a very short time ago in which a man who was a skilful and hardworking workman became lunatic. He was under the age to become a regular pensioner, but we have always given him a regular donation ever since.

2881. That comes, in fact, to a pension?—That would almost come to a pension.

2882. That would come to a pension, averaging the years, of a great deal more than 32*l.* would it not?—No, I think not.

2883. If it is 100*l.* voted every 13 months, it must be so?—I have got all the facts here as to the donees. In the year in which this return was made there were four liverymen who were donees; two received 100*l.* each, and two received 50*l.* each. There were 16 freemen, of whom one received 35*l.*, one 30*l.*, three 25*l.*, nine 20*l.*, one 15*l.*, and one 10*l.* Then there were 24 widows of liverymen and freemen, of whom one received 50*l.*, seven 30*l.* each, seven 25*l.* each, eight 20*l.* each, and one 15*l.* Then of daughters of liverymen and freemen (which are a very numerous class) there were 59, of whom one received 100*l.*, one 80*l.*, five 50*l.* each, ten 30*l.* each, nine 25*l.* each, 28 20*l.* each, four 15*l.* each, and one 10*l.*

2884. My point was this, and it is sufficiently plain, in every case where there was more than 64*l.* granted, and it was habitually renewed, the pension would be practically more than 32*l.* That is the point, and it is obvious enough?—I do not quite understand.

2885. Wherever the sum voted is more than 64*l.*, and it is voted habitually after the expiration of a year, the pension would be practically more than 32*l.*; it follows, does it not?—Yes, of course, it would be so.

2886. I suppose no member of the Court of Goldsmiths' ever received a pension?—Never in my time.

2887. Have you made any estimate of the prospective increase of your income, can you give it me at all roughly?—No, I have not made any estimate; it would be excessively difficult to do it.

2888. It has risen very largely in the last 50 years, has it not?—It has risen very largely in the last 50 years, there is no doubt.

2889. Allow me to ask this general question, is the property from which it is derived constantly rising in value?—I do not know that it is rising in value now. I think the general opinion of surveyors in the City of London is that City property has now reached its highest limit. Our surveyor tells me that he finds that he could not obtain quite as good rents now as he could four years ago, but still, as we pointed out in our returns, there is no doubt that some leases of our property are let on ground rents and they will fall in.

2890. Therefore the probability is that the income of the Company will increase rather than the reverse?—That we have distinctly stated in our Return.

2891. (*Sir Sydney Waterlow.*) Can you form any idea or give the Commission any figures which would guide them as to the proportion of property held by the Goldsmiths' Company which consists of property

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formerly held for superstitious uses, and which was purchased by the Company from the Crown in the reign of Edward the 6th as compared with property derived from other sources?—Yes, I made a calculation upon that very point. I had it all taken out, and I find that 28,681*l.* represent the rents of property of that description; that is the property which we bought back from the Crown that became forfeited in consequence of the superstitious uses.

2892. What proportion does that bear to the income arising from other property?—It is 28,000*l.* to about 54,000*l.*

2893. Are you referring to corporate property?—No, I am referring to the whole income of the Company.

2894. Corporate and trust?—Corporate and trust.

2895. But setting the trust aside could you give any idea of what proportion of the corporate income is derived from the property formerly held for superstitious uses?—Yes, the trust property amounts to about 10,000*l.* a year, therefore it is 28,000*l.* to 44,000*l.* or 45,000*l.*

2896. The Company are very generous benefactors, are they not, in the way of giving exhibitions at Universities?—We give a very large number of exhibitions.

2897. Do you happen to know how many?—It is 75.

2898. (*Chairman.*) At the two Universities?—Yes, equally divided between the two.

2899. (*Sir Sydney Waterlow.*) Between Oxford and Cambridge?—Between Oxford and Cambridge; it is all set forth at very considerable length in the return.

2900. Will you tell the Commission how you elect those who are to have the benefit of these exhibitions?—By merit. They apply, and after the applications have been received, and a day is fixed closing the time when they are to apply, a list is sent to Oxford and to Cambridge, to two examiners at each University, who hold an examination and send us a report, and we act upon that report. I think it is best expressed in the language which I have used here as to the exhibitions. "A student who " desires to become a candidate for one of these " exhibitions must have been in actual residence at his " college one term, and if at Oxford must have passed " the responsions, or the examinations accepted by the " University as equivalent to the responsions, before the " time appointed for the return of the petition, and his " income arising from preferment at college or else- " where must not amount to more than 70*l.* a year, ex- " clusive of the Goldsmiths' exhibition." Then we have stated here, in another part, that it is chiefly done by examination. We say: "They are tenable for " 16 terms at Oxford and 12 at Cambridge, and " are awarded solely by competition modified by con- " sideration of the necessities of the student and " his parents or friends. For instance, if *A.B.* stand " above *C.D.* in the examiner's report, and his father " have an income of 800*l.* a year, *C.D.* being dependent " upon a father in straitened circumstances, *C.D.* would " be preferred to *A.B.*, who would probably not be " elected at all. These exhibitions are open to the " whole University. A student related to a member of " the Company has no preference whatever." Nor do I ever remember any exhibitioner who was related in any manner to any member of the Company.

2901. I believe they are given the chance irrespective of religious denomination?—Entirely.

2902. Can you tell us whether any students to whom you have granted exhibitions have taken any honours?—A very large proportion. I am sorry I have not the document that I prepared the other day for the Court. I thought it would be exceedingly pleasing for them to know that three-fifths if not four-fifths of our students took honours.

2903. I may take it then that this part of the expenditure of the Company has given great satisfaction to the Court?—Great satisfaction.

2904. Sir Frederick Bramwell gave the Commission some information in relation to the funds appropriated to the relief of poor freemen and members of the Company. Have the Company found that the property left for that particular purpose is growing, if anything, rather larger than is necessary?—Undoubtedly.

2905. Has it been a constantly improving property?—I think I may say constantly improving.

2906. And is any part of it property which is likely still further to improve in the course of a few years?—I think so; I think that that property is particularly likely to improve.

2907. I think I understood Sir Frederick Bramwell to say the Company were considering an application to the Commissioners for a scheme which would enable them to appropriate a part of these funds in some other direction, probably *cy-près* to the original object?—We have done more than that.

2908. Will you tell the Commission how far you have progressed?—When the return was sent in to the Commissioners, there was the following remark in a note attached to it:—"An examination of " this return will show that four-fifths of the income " of all the charity property vested in the Goldsmiths' " Company is applicable to the poor of the Company, " and it will be seen by the accounts that the annual " amount expended for the relief of poor freemen and " poor widows and daughters of freemen is considerably " in excess of the income applicable to those objects, " a large number of the freemen of the Goldsmiths' " Company belong to the artizan class, and become " objects of the bounty of the Company in consequence " of sickness, age, and want of employment. No " deserving member of the Company, no deserving " widow, or unmarried or widow daughter of a free- " man falls into poverty or decay without receiving, " on application to the Company, pecuniary assistance. " The number of persons applying for pecuniary " relief, however, diminishes year by year, and the time " may probably come when the improved annual " value of the Company's trust property, and a dimi- " nution of the number of persons requiring relief, " will render it desirable for the Company to take " into consideration the expediency of applying some " portion of the income of the trust estates under a " scheme to be approved by the Charity Commissioners " in a manner different from that provided by the " wills of benefactors. The income derived from " Perryn's estate, after providing for the fixed pay- " ments directed by the will, may, in accordance with " the trusts of the will, be applied for educational " purposes." At the time when this was written I was not aware that there were certain properties falling in, certain increased rents accruing to the Company from a Charity property of a very large amount, at least I was not aware of the extent to which this was so, and very shortly afterwards I found that the income of the Charities trust property, was more than sufficient to satisfy all the claims upon it.

2909. May I ask you whether, without disclosing secrets of the Company, you could give the Commission any idea of the objects and purposes to which such surplus, as it might arise, would be applied, would it be applied do you think to technical education?—We actually applied to the Charity Commissioners for a scheme last year, I think at the beginning of last year, and they in reply said they were not disposed to entertain any application for a scheme so long as this Commission was sitting, and of course we were stopped, and we have now a considerable sum of money which we know not what to do with. With respect to technical education, I think that we should not ask to apply it to that. I think we have determined to apply so very large a portion of the income of our *general* corporate property to technical education that it would not be necessary or desirable that we should do so. The scheme that we proposed in the application that we sent to the Charity Commissioners was this, "With " this in view, and for the purpose of simplifying our " accounts, I propose to apply to the Charity Com- " missioners for an order enabling the Company to " consolidate all their Charities founded solely or " partially for their poor, providing that the whole of

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" the revenues applicable thereto shall be carried to " the credit of one account with an appropriate heading, and that all payments for the benefit of poor " freemen, widows, and daughters of freemen, whether " by way of pension or donation, shall be debited " thereto, the balance, whenever there shall be a " surplus, to be carried to an accumulation fund, the " application of such fund for some charitable object, " such as the founding a Convalescent Hospital, " establishing additional pensions for the blind," (that we have very much at heart at the present time) " or the advancement of education, to be decided on, " with the consent of the Commissioners of Charities, " so soon as it shall amount to 10,000*l*."

2910. Passing from that subject, you told the chairman just now that your Court consisted of 25 members. Do you find from your long experience that a Court of 25 members is sufficient to practically conduct the affairs of a Company like yours ?—I do, I think it is a very convenient number.

2911. As a matter of practice, are the Court generally elected from the Livery by seniority, or is it rather more by the choice of those whom the Court think would be the most eligible men of business ?—Certainly not from seniority; we might have by that means very unfit persons. It is really the persons whom we think are the best men of business and persons of the best station.

2912. Then as a matter of fact some are passed over and others are selected ?—There is no doubt about it, and there have been no complaints from our livery.

2913. You told the chairman, at least I understood you to say to the chairman, that you had no case where there were two relations, members of the same family, on the Court ?—None whatever.

2914. From your experience, would you think it an objectionable course to have four or five members of the same family on the Court ?—No, I do not know that it is objectionable, in fact I have known certain cases in which there are persons of the same family on the Court, and in which, I believe, the business is remarkably well managed.

2915. Sir Frederick Bramwell told the Commission last week something about the system of apprenticeship. May we gather from what was then said, and from you, that the Goldsmiths' Company will not admit any one to the Company by servitude unless there is a bonâ fide apprenticeship for seven years and a bonâ fide learning of the trade ?—Undoubtedly. The old words that are used by the clerk of the Company, addressing the master of the apprentice on his applying to be admitted, are these, "Mr. *A.B.* upon the " declaration you made when you were admitted to " the freedom of the City of London, has *C.D.*, " who now presents himself to take up his freedom " in this Company, served you faithfully and truly " after the manner of an apprentice and according " to the covenants contained in his indentures for the " full term of seven years."

2916. (*Mr. Pell.*) Are the exhibitions at the University entirely open; is there anything of a nomination to begin with ?—None whatever.

2917. They are open to the whole world then ?—They are open to the whole world in fact.

2918. Only you make some little distinction, after the examination is over, in favour of those who are very needy ?—We take that into consideration. I think if the parents of the man who was first on the list really were in a very good condition, say that the father had an income which we thought did not justify him in applying for an exhibition, we should not give it him.

2919. I suppose you have power to increase those exhibitions if it were the will of the Court to do so ?—We have done it. I think you will find, in the paper that we have sent in that we have given an account of the way in which we have increased them from time to time, with the annual increase of our income.

2920. I think you said in answer to a question put by Sir Sydney Waterlow that you thought the charity fund of the Company was now rather in excess of the needs of its object ?—There is no doubt about it, and we made this application of which I have spoken to the Charity Commissioners in consequence.

2921. In the account of the expenditure for the year ending 1880, have you not got an item of an addition to the trust funds ?—Yes.

2992. Amounting to 3,135*l*. ?—Yes, that is the fact; the increase has taken place since then. Since the last account was sent in this increase has taken place.

2923. Then am I to understand that now it would not be your practice to add anything to the trust fund out of the corporate property ?—It is not necessary now at all. On the contrary we have a balance that we do not know how to dispose of in consequence of the hesitation of the Charity Commissioners.

2924. Then you really have reached a stage at which you are embarrassed with income that has to be devoted to charitable objects ?—We have now a surplus which ought to be applied in charity, but to some other object.

2925. What is the annual income of the trust funds now that should be devoted to charity under the wills of the donors ?—I think it will be about 1,500*l*. a year more than it was when the return was made. I think we have at the present time a balance of nearly 1,000*l*.

2926. I see in the printed list of the objects of the donations in 1880, the Bishop of London's Fund church collection; how do you explain that term ?—Simply this, the vicar of our parish church, in which the Hall is, preaches a charity sermon for that object, and that is merely the sum which the beadle is ordered to put into the plate.

2927. The beadle is sent to the church then with a ten pound note in his pocket ?—The beadle attends the church, and I attended the church for a long time, and very often did it myself. As I lived at Goldsmiths' Hall during a portion of the year it was my parish church.

2928. What is the "City Kitchen," 30*l*. a year ?—It is called the City Kitchen, but in reality it is a coal club, and it is an extremely useful charity; a charity which is distributed from the Goldsmiths' Company by tickets to poor residents in the neighbourhood. The object is to lighten the price of coal to them.

2929. But accompanied with some contributions from the persons who receive your charities; it is in addition to their own effort, is it not ?—I think very few of the pensioners get it, because the pensioners do not necessarily reside in our neighbourhood. It is really a local charity in the City, and it is given very much to those people who are within a certain radius.

2930. My idea of a coal club is that of a number of poor people subscribing during the year a sum of money, in order to get their coals, in the winter, to which some charitable person, or institution, adds money, is that what is done in this case ?—It is not done in that way. The ticket is given to them, and when they go for the coals they have to pay half the cost.

2931. It really comes to the same thing ?—It really comes to the same thing.

2932. They give nothing ?—They give nothing; but they have to pay half the cost.

2933. In this long list, can you tell me whether there is a single object entered in which the poor who are helped, are called upon to be doing anything for themselves, or are all these institutions which you assist entirely supported by voluntary contributions ?—Without going through the whole of them it is exceedingly difficult to say. They are nearly all of them great public charities, such as the Royal Naval School and the Consumption Hospital.

2934. I have looked them through, and perhaps it would be better for me to put it in this way: has the Court considered it desirable in the distribution of its charities to attempt to encourage thrift ?—Most decidedly, and I may say as to the reports made to the Court that the officer is instructed to make minute

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inquiries as to whether the applicants have been thrifty persons, or unthrifty persons.

2935. I am talking of institutions ?—I thought you were talking of persons.

2936. I am pretty well acquainted with the charities of London, and I do not myself see a single institution entered here in this list, in which those who are recipients of the charity are called upon to do anything for themselves; the Provident Dispensary, the Metropolitan Dispensary, I think that is entirely supported by voluntary contributions ?—I think it is. What would you say to the Goldsmiths' Benevolent Institution and Goldsmiths' and Jewellers' ?

2937. Where is that ?—We make subscriptions to them, and to the Clock and Watchmakers' Asylum; they are all contributed to by us.

2938. That is another list altogether. I am talking of the donations which added up come to 5,492*l.*, the first two lists ?—Is that the first year.

2939. Yes, the first list on page 55. I did not look at the subscriptions, I kept to the donations ?—The subscriptions appear to be on the same footing.

2940. I daresay they are, but I kept to the particular institutions entered in that list. Can you point out any single one of those to which the persons who receive the benefit of your charity contribute at all themselves ?—Yes, the third, the establishment for gentlewomen in Harley Street.

2941. Do the gentlewomen there contribute ?—They pay a considerable sum, and are aided by the charities of the Company.

2942. I am very glad to hear that ?—The Ladies' Work Society is another.

2943. I think you subscribe to the Charity Organisation Society ?—Very largely.

2944. Do you make use of their office in inquiring into any of the cases ?—We do, and they make use of ours. We have very close relations with the Charity Organisation Society; I may say that my younger son is the honorary secretary of the City branch.

2945. Then probably in the case where you have applicants for your charity, and the inquiry is made by the official whom you call the beadle, he would be likely to consult the officers of the Charity Organisation Society ?—Yes, he has constantly done so; and I may say, with reference to some remarks that were made on the last occasion, that I thought it desirable to have that officer here, and he is in the other room, and in point of fact, if you like to see him you will see what class of man he is. He is a most dutiful and trustworthy and conscientious officer.

2946. Is that the officer of the Company that you are referring to, or the Charity Organisation officer ? —No, the beadle. I mention that with reference to some remarks which you made on the last occasion.

2947. I think it is stated in the abstract here that you find the number of applicants for these charities diminishing ?—They are very much diminishing, and since I was here the other day I made a note which I will give you. In 1863 there were 116 men pensioners and 143 widows, and in 1880 there were 68 men pensioners and 117 widows only.

2948. Do you think the numbers have been diminishing owing to the greater care taken, and the more thorough inquiries that you have instituted into the position of these people ?—I have taken very great interest in this matter from the beginning, for I always, from the commencement of my duties as clerk, took it to be a part of my duty carefully to watch the administration of these charities, and I have come to the conclusion you suggest. I know that a great number of persons have been assisted with temporary relief, who have never come to the Company again, and never made another application, and have been able to go on to the end of their days afterwards without our assistance.

2949. (*Mr. Alderman Cotton.*) Do you not think that the amount of 150,000*l.*, given away annually by the City guilds in pensions, donations, and charitable purposes, causes a saving to the pockets of the ratepayers of a very large portion of that amount ?—I do not think so. I think they are of a different class. It certainly would, to some extent, if these people went to the workhouse; there is no doubt that that would fall upon the ratepayers.

2950. Do not you think it would do so to a very great extent ?—Well, it is very difficult to say. What occurred in a parish in which I lived in Sussex was this: The parish doctor spoke about the present state of the poor now, compared with what it was in the days when there were no resident gentry. I said, "What became of them then ?" He said, "They died." That was his answer.

2951. Would not very many of those persons go to the union if they had not your pension or donation ? —Some would, no doubt.

2952. That would be, to that extent, a saving to the ratepayers ?—To that extent it would, no doubt.

2953. Do you think that those charities conduce to the good, or to the debasement of the recipients ?—I can only speak with reference to the charities of the Goldsmiths' Company, and I can say most emphatically that, having watched over the administration of those charities for over 30 years, I feel satisfied that they have done, I was going to say, almost unmitigated good.

2954. I think I understand you to say that the balance in hand in favour of the charities is about 1,000*l.* ?—I think it is about 1,000*l.* at the present time.

2955. (*Mr. James.*) With regard to the distribution of these charities I will ask you just one or two questions with regard to the discrimination which you make between the deserving and the undeserving; are you able to discriminate between the deserving applicants and the undeserving ?—I really think the best way to answer that question would be to have in the person to whom I alluded, who makes these inquiries, to have his reports in, and to interrogate him, to show exactly what takes place. I may say the course is this: he is directed to make minute inquiries; he not only goes to the people to whom the applicants refer him, but he also applies to other people. He tells me it very frequently happens that people will refer to persons whom they are sure will give a favourable report, but he inquires what their antecedents have been; he finds out, for instance, for whom a man has worked, and he always goes and makes application to that person. He then has always come to me first, and has gone over his report with me, and stated to me what inquiries he has made, and has asked me whether I consider they were sufficient. I have very often found that they are not sufficient, and I have ordered him to make further inquiries. When the inquiries are complete, then the case is presented to the committee and the applicant is directed to attend. The members of the committee make such inquiries as they think proper, and I must tell you that a very large number of applicants are refused altogether. When we find that a man has been of intemperate habits, and, in fact, that his poverty arises from want of thrift, or from drunkenness, or any other act of bad behaviour, his application is refused.

2956. Nothing, I am sure, could be more clear or satisfactory; but I would like to press you a little further. You are referring now, I think, to the beadle, are you not, to whom Sir Frederick Bramwell alluded on the last occasion. The person who makes these inquiries is the beadle of the Company, is he not ?—Yes; he has been 20 years in our employment.

2957. How many cases has he to inquire into in the course of the year ?—Over 100 certainly, 130 or 140.

2958. There are many cases of people who may stand upon your list whose circumstances may have changed, into whose cases he would not think it his duty to make inquiry ?—Fresh inquiry is made every time.

2959. But surely you must have more than 120 or 130 persons receiving assistance ?—The cases of regular pensioners are not inquired into again. I am speaking of the donees; the persons, who are not regular pensioners.

2960. Not more than 120 or 130 ?—I think it would be about 130; he has his books here, and I will get his books.

2961. That is quite sufficient. I think you said in reply to the chairman that about three guineas was the payment made for attending a Court, and two guineas for a Committee ?—Exactly, that is so.

2962. And a very considerable part of the duties of Company consists in the distribution of the funds of the Company in educational, philanthropic, and charitable objects ?—A large portion.

2963. Could you tell me any society, or any body in the country, by which those duties are discharged, and in which those who discharge those duties receive a pecuniary payment ?—I do not think they are analogous cases. When I say that it is a large portion of their duties, I mean, that it occupies a large portion of the time of every Court, and every Committee; but there is a vast deal of other business attended to. There is the management of all this very large property; there are the surveyor's reports, and all those matters, and it would be a difficult thing to separate the labours of the Court, in the matter of the distribution of their funds, from their other labours with respect to the management of their property generally.

2964. But are there not a great many institutions in the country, the property of which requires considerable management, and the philanthropic part of which also involves a great deal of time and trouble, but the managers of which receive no pay whatever ?—I am not aware; I do not know.

2965. Are not you aware of it ?—I am not.

2966. The governors of St. George's Hospital, for instance ?—That is a purely charitable institution.

2967. There is one other question that I want to put, which relates to an entirely different matter; it is with regard to the Assay Office of the Goldsmiths' Company. The management of that office is entirely in the hands of the Company, I believe ?—Entirely.

2968. Are the expenses of the office charged in any way upon the revenue of the Company ?—No, all that is regulated by an Act of Parliament, the 12th George II. chapter 26; we take fees for assaying and marking plate, and we are prohibited from making a profit; but we take enough to pay the expenses of the office.

2969. Why should not the Goldsmiths' Company pay for the expenses of the office ?—I think that would be a most objectionable thing; that would be a bounty to the London silversmiths, and the effect of it would be to destroy the trade in Birmingham, Chester, Sheffield, and those other places.

2970. But you give bounties to silversmiths in other forms, do you not ?—We give prizes.

2971. And the benefit of charitable institutions ?—Yes.

2972. Is that anything else except a bounty ?—Yes, I think so. Those institutions are for the benefit of the poor. They are not all members of the Company, but a great many of them are. Those institutions are institutions for working goldsmiths, supported by the trade, to which the Goldsmiths' Company think it right to contribute largely.

2973. Would your Company think it would be an objectionable arrangement that the expenses of the Assay Office should be defrayed out of the funds of your Company ?—I have never heard it suggested, and I have never thought of it until you mentioned it, but on your mentioning it, it certainly did at once occur to me that that would be most objectionable, and I think that the Birmingham manufacturers would object to it very much indeed. The effect of it would be to remove all the trade to London.

2974. (*Mr. Burt.*) Have the Company recently spent a large amount on the Hall ?—They spent a large amount on the Hall about six or seven years ago.

2975. Do you consider that a necessary and useful expenditure ?—I think it was partly necessary, and certainly very useful and ornamental; the fact was this, that no great repairs had been done to the Hall since it was built in the year 1835, and the whole of that very fine entrance Hall was lined with stucco, and demanding constant repair. It was suggested, and it was thought a desirable thing, to remove the stucco, and to line the Hall with marble. Of course this was an expensive operation at first, but we felt that by so doing we should prevent the constantly occurring expenses of painting and plastering, and that we should do a very beautiful work; a work in point of fact that would be creditable to the metropolis.

2976. Is it the fact that the trade of the silversmiths is now in a very depressed condition ?—I think if you look at the report of the Select Committee of 1879 and 1880 the whole thing was very fully gone into. Ever since electro-plating came in, there is no doubt that the trade has been depressed; but at the present time it appears to be reviving. We judge of it by the amount of duty paid at the Goldsmiths' Hall, and during the last year or 18 months there appears to have been a considerable revival of trade.

2977. Are many of the best workmen going to America ?—I have not heard of that.

2978. Can you state at all the cause of the depression ?—My impression is that it arises almost entirely from the use of electro-plate.

2979. Is it due at all to taxes and to the trade being hampered ?—There is a tax of 1*s.* 6*d.* upon silver; little gold is made; no doubt if that tax were removed it would lead to some increase in the manufacture of plate. That is a matter with which the Goldsmiths' Company have nothing to do. They are obliged by the Government to receive this duty. We are perfectly indifferent whether the duty is maintained or taken off.

2980. I should like to ask you about the practice of breaking up artistic and other plate that is below the standard ?—Are you alluding to plate that has come from India; is that the particular thing ?

2981. Yes ?—I think it is desirable, as the matter passed entirely through my son's hands, that he should explain that matter, to you, because a correspondence has taken place upon that subject which he has conducted. The whole matter has been before the Treasury, and I may tell you that the Treasury are perfectly satisfied that what the Goldsmiths' Company did was only what they were obliged to do.

2982. On a specific point you can perhaps inform me as to the practice, which I understand prevails, of breaking up the whole set in consequence of a single faulty article ?—Yes.

2983. That is the case, I believe ?—That is the case undoubtedly; we are regulated by the Act of Parliament of 12th George II.

2984. Do not you think that that is a practice injurious to the trade ?—I do not see very well how you could avoid it. A man sends a parcel of plate; scrapings are taken from each article, and then the whole is assayed; and if his work turns out to be bad we are, according to the Act of Parliament, to break it, unless a sufficient excuse can be given. A man will sometimes come and say, "I suspect that the fault "must be in a particular article; I shall feel obliged "to you to assay that particular article, and ascer- "tain whether it is not so." It often has happened that we have assayed that particular article, and we have found that the fault did exist there; and if the workman has been able to show that this particular article got into his work by accident, or that there was some other sufficient excuse, then we have frequently allowed him to take that article out, have it broken, and we have assayed and marked the remainder; but I think you will find in the letter which I wrote, on behalf of the Company, to the Commission in November, that the whole matter is there gone into in the following passage:—"Reverting to that part of the evidence of "Mr. E. J. Watherston in which he complains that "if one article in a parcel of plate is defective the "whole parcel is broken, the answer is that the power "to do this is not exercised unless there is reason to "believe a fraudulent intent or a want of care. As a

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"matter of fact, the care of the honest manufacturer, "and the influence exercised on the less scrupulous by "the action of the Goldsmiths' Company, has had the "effect that only about ·75 of one per cent. of the "gold plate (or 9 ounces in 1,200 ounces) and ·25 of "one per cent. of the silver plate (or 3 ounces in "1,200 ounces) offered for assay is broken."

2985. In the printed statement that you have been good enough to supply the Commissioners with, you mentioned that Mr. Watherston has not been able to carry the trade with him in the reforms that he has suggested?—That is undoubtedly so.

2986. Do you mean the Company or the trade generally?—The trade generally. I believe you may say that Mr. Watherston stands aloof from all the leading men in the trade. I will give you an instance of it. At the time that the Select Committee was moved for about 1879, Mr. Watherston, then representing himself as the master of the situation, you may say, all the leading men in London, Messrs. Garrard, Messrs. Hunt and Roskell, Thomas Hancock, Barnard, Mr. Lambert, Mr. Dobson, Elkington, Savory, and others representing four-fifths, I think, of those who paid the duty to the Government, had a meeting with which the Goldsmiths' Company had nothing to do, and which was called by some members of the trade, and they passed a resolution unanimously entirely opposed to those propositions which Mr. Watherston himself was endeavouring to set forth.

2987. Are you aware that the trades of Birmingham, Manchester, and Glasgow have, almost unanimously, petitioned in support of the reforms?—I have heard that at Glasgow they have, but I think certainly not at Birmingham, I have never heard of it, and we have such intimate relations with the Birmingham Hall that I think Mr. Martineau, the clerk of the Guardians, would have informed me of it, if it had been so, but we know nothing of Glasgow.

2988. I suppose you do not at all question that there is a great deal of public support of Mr. Watherston?—I really cannot tell you what that support is. He talks of being at the head of a Goldsmiths' and Jewellers' Free Trade Association. Whenever he has been asked who the members of this association are, he has never given a reply, but at all events I can tell you that no one of the persons who are known to the public at large as goldsmiths and silversmiths in London belong to that association.

2989. I suppose it is not at all a singular thing for a trade not to want to reform itself?—My impression is that the trade know best what is to their advantage.

2990. Are you aware that several societies, including the London Chambers of Commerce, the National Chamber of Trade, the Financial Reform Association, the Social Science Association, the Chambers of Commerce of Calcutta, Madras, and Bombay, have all memorialised the Government in support of the Resolutions put forward by Mr. Watherston?—Is that with reference to abolition of the duty, or with regard to hall marking?

2991. To hall marking?—I am certainly not aware of it. A Committee of the House of Commons sat in 1879 and 1880, and you will find in their report that they recommended that the compulsory hall marking should be maintained. The report is a very voluminous one and a very exhaustive one.

2992. Is it not a fact that all the London newspapers and nearly all the Provincial newspapers have also advocated reforms, and that scarcely any paper has supported the trade in their policy of "Let well alone," as they suggested at the meeting they had in St. James' Hall, some time ago?—I am afraid I cannot answer that, I do not know.

2993. In your opinion would it be correct to say that many workmen of the actual working silversmiths would be afraid to let it be known that they are connected with a society to carry out these reforms?—I should think it very unlikely. I do not know the workmen; I only know from my position at Goldsmiths' Hall generally. I am not acquainted with what takes place between the workmen and their employers, but I should think it very unlikely that it is so.

2994. (*Mr. Firth.*) With reference to the accounts which I put some questions about to Sir Frederick Bramwell last week, I have sent you a copy of those accounts, and in a letter you have been good enough to send me you say you find the separate items are generally substantially correct, but with regard to the gross receipts of 567,000*l.*, you say that 67,000*l.* of that is not income. That would leave your income according to that letter at 500,000*l.* In respect to the current expenditure, do you object to the way in which this is arranged? I put charities in pursuance of wills 94,378*l.*, to same charities in excess of income of estates 11,133*l.*, total 105,511*l.*, Voluntary gifts Donations 69,588*l.*, University Exhibitions 25,508*l.*, Church 18,441*l.*, Subscriptions 10,853*l.*, Technical Education 8,658*l.*, Three Schools 7,137*l.*, Almhouses 7,405*l.*, Annuities 2,257*l.*, total 149,847*l.*; then under the head of "Maintenance and Management":—Courts and Committees 14,344*l.*, Entertainments 43,231*l.*, Wine 16,817*l.*, Housekeeping 14,822*l.*, Salaries 37,530*l.*, Clerk Special 2,000*l.*, Beadle 1,683*l.*, making the expenditure on members 129,427*l.* Then expenditure on fabric: Repairs 22,309*l.* and 10,950*l.*, Rates and Taxes 16,669*l.*, Law 4,385*l.*, Gas, Coals, and Water 2,808*l.*, Printing 2,239*l.*, Furniture 7,491*l.*, Sculpture 2,114*l.*, Plate 1,236*l.*, Insurance 584*l.*, total 70,785*l.*; Miscellaneous 6,000*l.*, making the total expenditure of 540,000*l.* Do you object to that classification; is that your objection?—Yes, I object to the classification, because you represent by this that the cost of management in ten years has been 129,000*l.*, instead of, as I make it in the same period, 54,000*l.*

2995. But the items you admit are correct?—Your items are substantially correct, I have gone over them.

2996. With respect to your return A, Landed property, I find that the amount of the reserved rent is 35,555*l.*, and the amount of the rateable value is 65,556*l.* Does the difference which is about 30,000*l.* represent the value of your reversion, it represents a valuable reversion does it not?—It represents a valuable reversion undoubtedly.

2997. One word with respect to your poor. I find that the Charter to which you draw our attention recites amongst others one of your earlier Charters of Richard II., which I presume therefore is still in force, and which says this: "Know ye whereas Edward our "grandfather late King of England at the suit of the "goldsmiths of our City of London suggesting to him "how that many persons of that trade by fire and smoke "of quicksilver have lost their sight, and that others of "them by working in that trade became so crazed and "infirm that they were disabled to subsist, but of relief "from others; and that divers of the said city compassionating the condition of such were disposed to give "and grant divers tenements and rents in the City to "the value of twenty pounds per annum to the Company "of the said craft towards the maintenance of the said "blind, weak, and infirm, and also of a chaplain to "celebrate Mass amongst them every day for the souls "of all the faithful departed, according to the Ordinance "in that behalf to be made, did by his Letters Patents "for the consideration of a fine of ten marks, for himself "and his heirs, as much as in him lay, grant and give "license to the men of the community aforesaid that "they might purchase tenements and rents in the same "city of the value of twenty pounds per annum, and not "above, of the men of that City, for relief and maintenance of such blind and infirm and of such chaplain "as aforesaid. To hold to them and their successors of "the same society for ever for the purposes aforesaid; "the statute workman or any other statute or ordinance "to the contrary thereof notwithstanding, as in and by "the said Letters Patents more fully and at large it "may appear." Can you tell me how much of the money which is now given to the poor of your Company is given to the poor of a trade?—I think I have stated that in the Returns, but I think I can give it you now. The number of freemen pensioners who are or have

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been connected with the trade or craft of Goldsmiths or Silversmiths is 34.

2998. The proportion of the payment is what I should also like to know ?—I cannot tell you that.

2999. Now turning to your major return, if I may so term it, at page 2 I find you state : "Return D. " We are not aware of any decrees of Court, acts of the " Court of Aldermen or of the Court of Common " Council founding, regulating, or affecting the Com- " pany." In your statement you object to my proposition that the Companies are subject to the control of the Corporation. Are you aware of various precepts for various purposes sent by the Corporation to your Company ?—I am aware of precepts having been sent from time to time, as for instance, notably in the case of the precepts sent to the Company in the year 1770 to attend Common Hall.

3000. I will come to that afterwards if I may. Beginning rather earlier, say 1485, you had a precept from the Mayor and Chamberlain to provide 24 persons to ride out to meet King Henry VII. at Blackheath. Rather later you had a precept from the City to raise money. Then you had a precept from the Mayor and Warden to provide people to attend at Guildhall (I am putting it in answer to your statement here) and certify to the Lord Mayor at the Guildhall, and you have repeatedly made answer to precepts from the Lord Mayor to provide money ; are you aware of that ?—I know that in ancient times it was the custom for the Lord Mayor to issue precepts, and it was the custom for the Company to attend to them, but whether they were obliged to attend to them or not is another matter. I know that in later times the Company have absolutely refused to attend to all precepts to the Company to summon their livery to Common Halls unless for election purposes.

3001. In 1665, which is a later period, you received a precept from the Lord Mayor to contribute to the poor suffering from the plague, and again a precept to provide chaldrons of sea coal ; you say that it is since then that the change has been made ?—You will find in the report of the Municipal Corporation Commissioners of 1837 that they state that the Corporation's control of the companies is little more than nominal, those are their very words.

3002. That you have given us in this statement ?—Yes, I have.

3003. You contend that you are no part of the Corporation ?—Not an integral part, I have taken your own words. They are certainly not an integral part, and if the Commission desire me to do it, I am perfectly prepared to go into that question. The case came prominently before the judges in the case which I have mentioned in this statement, which you have probably read.

3004. (*Chairman.*) Is that the Lord Chief Justice de Grey's judgment that you are referring to ?—That is Lord Chief Justice de Grey's judgment.

3005. I think we are all familiar with Lord Chief Justice de Grey's judgment, is there anything beyond that. If you found yourself (and you have a perfect right to found yourself) upon the judgment of the Chief Justice, that speaks for itself, and we can deal with it. If there is anything else you wish to say to us by all means say it ?—I will merely say generally that I presume what is meant when it is stated that the Livery Companies are integral parts of the Corporation is, that the one could not exist without the other. Now it is quite clear.

3006. Then you see we get into such curious questions, do we not. I, for one, should not at all accept "integral part," and the impossibility of existing without being an integral part as synonymous ?—If that be your Lordship's opinion I am content, but I find the point stated in "Kyd on Corporations," and I will just mention that, if you will permit.

3007. I really only interpose to save time, but can we get further than this, that everybody who has taken the trouble to read anything about it is aware that the Common Hall exists for certain purposes, that the Common Hall consists of those freemen of the City of London who are also liverymen, or if you like to put it so, such liverymen as are also freemen (I care not which way you put it), and that that body, which is still an existing body, elects certain persons who are members of the Corporation. But we might argue to all eternity as to whether that did or did not constitute the Common Hall an integral part of the Corporation. There is the fact, and we cannot make the fact different by any amount of argument ?—There is no doubt that they are the electoral body at the present time for certain purposes. But what I would say is this, that they have not always been so ; changes have been made from time to time.

3008. I mean that persons may very fairly differ as to what is the true effect of that upon the Corporations and the Companies, but the fact is indisputable, is it not ?—Certainly.

3009. (*Mr. Firth.*) Are you aware that the city have always contended the contrary ?—I think it is pretty clear that they contended the contrary because they fought the question with the Goldsmiths' Company in the year 1775.

3010. I do not admit that. I was going to ask you whether your attention has been drawn to the case of Wannell against the Chamberlain of the City of London in 1726 ?—No.

3011. Where the Chamberlain returned that London has time out of mind been a Corporation and consists of several societies, guilds, and fraternities. This is a case in which a joiner not a member of the Joiners' Company sent a mandamus to the Chamberlain to admit him to the freedom of the City ; the Chamberlain on behalf of the Corporation of the City, made return, and that return was held good. The return was this, that London has time out of mind been a Corporation consisting of several societies, guilds, and fraternities of the City, and no person could ever be a freeman of the City until he was a member of one of the fraternities. Then the Chamberlain goes on to say the plaintiff was a joiner, but not free of the Joiners' Company ?—What court decided that ?

3012. It was a mandamus, and therefore in the King's Bench ; you are not aware of that case, you say ?—I think I remember the case now. The return was held good, and the mandamus did not go.

3013. The case is reported in 1 Strange, page 667. It is very short, and is as follows :— " Mandamus to " admit George Wannel to his freedom of the City of " London, setting forth that he was bound apprentice " to one Samuel Vaureyven of London, merchant tay- " lor, for seven years ; that he had served out his " time, and been admitted into the Merchant Taylors' " Company, and in due form presented to the " Chamberlain, who refused to admit him to his free- " dom. The Chamberlain returns : That London has " time out of mind been a corporation, and consists of " several societies, guilds, and fraternities of freemen " of the City, and that no person could ever be a " freeman of the City till he was a member of one of " those fraternities. That time out of mind there has " been a Company called the Joiners' Company. " Then he returns a power to make byelaws, and that " 19th October, 6 William and Mary, a bye-law was " made reciting that several persons not free of the " Joiners' Company had exercised the trade of a " joiner in an unskilful and fraudulent manner, " which could not be redressed whilst such persons " were not under the orders and regulations of the " Company, therefore it enacts that no person shall " use that trade who is not free of the Company, " under the penalty of 10*l*. That the plaintiff did " exercise the trade of joiner, and that at the time of " his being presented to the Chamberlain he was not " free of the Joiners' Company, and therefore he does " not admit him to the freedom of the City. Upon " this return the question was, whether this bye-law " to oblige a member of one Company to be admitted " in another Company, was good or not ? And to " prove it naught, the case of Robinson v. Groscourt " 5 Mod. 104 was relied on, where a byelaw to oblige " all persons using music and dancing to be free of

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"the Company of Musicians was held void; and even there it did not appear that the person was free of any other Company, as it does in this case. On the other hand it was said, that this was a very reasonable bye law, since it tended to prevent frauds in trade. And of that opinion was the Court, it being properest for such a person to be under the regulation of that Company who understand the trade best. That the case of Robinson v. Groscourt, was adjudged upon the foot of a dancing master's not being a trader; and there was no inconvenience to an honest man, in being free of this Company, rather than another. But the Chief Justice stated a difficulty, whether the plaintiff having served a merchant taylor, could oblige the Joiners' Company to admit him, it not being so stated in the return; and without that be taken for granted, the byelaw will be void. To which it was answered by Fortescue Justice: That the imposing the penalty of 10*l.* for not taking up his freedom, is the strongest implication that they are bound to grant it. *Per cui ulterius concilium.* It was argued a second time in last Trinity Term by Mr. Reeve and the Solicitor General, much to the effect of the former argument. And now this term Raymond Chief Justice delivered the resolution of the court: We are all of opinion that this is a good byelaw, being made in regulation of trade, and to prevent fraud and unskilfulness, of which none but a Company that exercise the same trade can be judges. This does not take away his right to his freedom, but only his election of what Company he shall be free; it is only to direct him to go to the proper Company. As to the objection, that it does not appear the Joiners' Company are bound to admit him, we are all of opinion that it being said he shall take up his freedom in that Company under the penalty of 10*l.* he will be entitled to have a mandamus to prevent a forfeiture. *Per curiam.* The return must be allowed." The plaintiff was a joiner, and was not free of the Joiners' Company, and he said that no one could be admitted a freeman of the City until he was a freeman of one of the City Companies, and it was held that was a good return?—"Kyd on Corporations" says, "that the gilda mercatoria in England was something distinct from the corporate body vested with the local government of the place, receives confirmation from the actual state of the Royal Boroughs in Scotland. In most of these, there are several incorporated companies of trades, and a gildry, which is also an incorporated company, but distinct from the others, and the magistracy of the town is composed of members partly taken from the gildry and partly from the trades."

3014. Are you aware that the Goldsmiths' Company made a return to the House of Commons in 1774?—No, I am not. At the present moment I have forgotten it at all events, if I have seen it.

3015. I suppose such a return will be in the archives of your Company?—No doubt we should find it in the records.

3016. With respect to Plumbe's case, I see you contest the construction which I put upon it?—It is exactly the reverse of the construction which you have put upon it.

3017. Have you got the report of the case?—I have. I may say that Alderman Plumbe's case was tried by a special commission. I believe that is the reason why it is not reported in the general reports. It was a special commission which was usually issued to try writs of error from the Lord Mayor's court, and it was composed of five judges. One of the judges, I think, had retired before the judgment was given. The judgment in the case was delivered by Lord Chief Justice De Grey and the three other judges, and it was unanimous. It reversed the verdict of the Lord Mayor's court in 1773, and decided that the warden of the Goldsmiths' Company was perfectly justified in disobeying the precept.

3018. Have you got a copy of the report?—I was going to say that I applied to the town clerk to ascertain from him whether he had got a copy. He said he had not got the proceedings, but that there was a book in the Guildhall library, which had been printed by order of the Court of Common Council, which contained a report of the judgments of the four judges, and therefore I take it from that that it must have been perfectly authentic.

3019. Perhaps I may be permitted to say this. I see that in this statement you impeach what Mr. Beal said about it?—Most decidedly.

3020. You are not aware that Mr. Beal presented that book to the Corporation, are you?—If he did, all I can say is this; that what I thought he had perhaps stated inadvertently, he must have actually misrepresented to his own knowledge.

3021. That is to say, if your construction of this case is correct?—I think you had better ascertain whether it is correct to say that Mr. Beal presented that book to the Guildhall library; I very much doubt it.

3022. Very well. You have not set out any part of Lord Chief Justice De Grey's judgment which proves what you state?—Indeed I have.

3023. There is nothing in the judgment of any one of those judges which says that the Companies are not bound to attend to the precepts of the Lord Mayor?—In the report of the judgment it is distinctly stated.

3024. Allow me to read from Lord Chief Justice De Grey's judgment a passage which you have not set out. Your quotation begins, if I may draw your attention to it, in the middle of a sentence. the first part of which sentence is rather material, I will read it to you, "I think a body might possibly suppose a case in which the Lord Mayor, Aldermen, and livery as such, might have some business upon which they might think proper to address the Crown, and if they did so, if such precept was issued to the warden, it would be his duty to obey it, there it would appear to be, I cannot say a corporate purpose, but a legal business to be transacted legally, and if a warden was to disobey such an order as that, he would offend as warden, there is no doubt about that, but the question is, what is to be done where it appears the subject of their meeting is not the particular business of that body, nor even the particular business of the City, but relates to supposed national grievances, but it has nothing to do with the corporate capacity of the City . . . . consequently it is as clear as the sun they could not meet upon this subject corporaliter"?—I perfectly agree with that, because it is quite clear that if the Lord Mayor had desired the Warden of the Company to summon the livery for an election purpose, he would have been bound to attend to the precept. But what the Lord Chief Justice does say is this, these are his very words: "Thus far we know."

3025–6. That is the middle of the sentence. Will you begin the sentence, if you please?—Yes, I am perfectly willing to begin the sentence if the Lord Chief Justice will allow me. The sentence is a somewhat long one, "But I never did hear nor can I find and I should be very sorry to find that I am bound to take judicial notice which of these companies are for instance incorporated, and which not, because I have no means of knowing which of them have a livery and which not; the sub-division of their powers among themselves; in whom in each subordinate Company the power of making laws to regulate their own Company lies; the authority of the Masters, Wardens, and Assistants, these properly make no part of the customs of the City of London, because, *thus far, we know that the constitution of the City of London does not contain these Companies. I mean originally and from their charters and all prescriptive rights, it is by subsequent action that they came now to bear the relation they do to these companies as livery.* The livery are not formed out of their corporate body, some of them are supposed to have existed immemorially. They are not created by the King, but if it was a grant from the King, they are not essential to the constitution, but might exist independently of it, "therefore, whatever their constituent parts, their "obligations, duties, powers, customs, and rights are, "either as altogether or as individuals, they are no part "of the City customs, but a subordinate, detached, and "independent body, I mean independent with regard "to the original institutions." Now, I put to you the proposition as to the decision in this case, as I understand it; the warden was disfranchised by the Mayor's Court in 1773?—By a verdict in the Mayor's Court.

3027. And that was upheld afterwards. Then they went to the Court which sat in Serjeants' Inn, where there were four judges, Ashurst, Aston, Smythe, and De Grey?—I am not aware that they went to Serjeants' Inn.

3028. That is where they sat?—It is not stated so in that book; it is called the Court of St. Martin's le Grande.

3029. That is the name of the Court?—I know this, that it was a Special Commission.

3030. That Court reversed the sentence of disfranchisement?—Yes, certainly.

3031. Are you aware that that Court did it upon the ground that the precept which was sent to the warden was not within his corporate duty?—No, it was not simply upon that ground. But that is not what you said. You state here in your book, "And "although now only called together for election pur- "poses, there appears but little doubt but that it might "be convened for other business." That is what you said after having stated that the Companies are an integral part of the corporation of the City, and this is your note: "This would seem to have been finally "settled"; *finally settled mind you*, "in the case of "the trial of the refractory Companies in 1773, when "the warden of the Goldsmiths' Company was suc- "cessfully prosecuted in the Mayor's Court for "inattention to a summons to Common Hall on other "than election business." So that in point of fact that which you state is directly the reverse of what is true; it was not finally settled.

3032. But I am drawing your attention to what Lord Justice De Grey himself says, that for corporate purposes it would be called together?—That was not the effect of the decision.

3033. We will have the decision in. I have nothing more to say about that. I think nothing is more clear. As a matter of history, are you aware that the Companies were called together by the Lord Mayor for other than election purposes in a number of years, subsequent to this decision?—I have no doubt that it is possible that they may have been; but I do know this, that the Goldsmiths' Company passed a resolution, immediately after this case was decided, which was to this effect: That for the future the wardens of the Company should not obey any precept received from Guildhall for any other purpose excepting for election purposes, unless the matter were brought before the Court of Assistants, and they were permitted to do so; and I do know this also, that from that time to this we have never obeyed a precept of that sort.

3034. Did not you obey the precept of the Lord Mayor in 1872 when a committee was appointed to correspond with committees of counties to obtain a more equal representation of the people?—I feel satisfied we did not, because, following the Resolution passed in the year 1775, I found that there was no instance in which the wardens had thought it right to consult the Court of Assistants generally as to whether they should obey a precept for summoning the Livery or not.

3035. In your statement, page 3, you set out as against one of my propositions an Act of the Common Council of November 4th, 1651. Are you aware that that Act of the Common Council was never acted upon, and that in the following year the Lord Mayor issued his precept, as usual, for the livery to assemble?—I am not aware of it.

3036. You would like to know the authority from which I am quoting, I may tell you that it is from a report to the Common Council presented on the 19th December, 1833, by a Committee appointed to consider the expediency of applying to the Legislature for the repeal of 11 Geo. I. c. 18, for regulating elections within the city. They say with reference to this Act, which you quote as of importance, "This ordinance "was ordered to be printed and a copy to be sent to "the Common Council of every ward, and it has never "been repeated, but it does not appear to have been "acted upon, for in the following year the Lord "Mayor issued his precept as usual for the Livery to "assemble for the elections." Now I wish to ask you a question or two as to the occupations of the Court of Assistants; I have a list here, and should like to ask you whether it is right. Mr. Hayter is a private gentleman, and Mr. Banbury a banker?—Mr. Hayter is a retired silversmith; he and his father before him were manufacturing silversmiths.

3037. This list is supplied by Mr. Watherston?—I daresay.

3038. It has been sent to me, and I am just asking you about it. He says, as a fact, that Mr. Hayter was never in the trade at all, is that true?—No, it is not.

3039. Mr. Banbury is a banker?—Mr. Banbury is a banker.

3040. Mr. Watherston is a goldsmith by servitude?—I think he was admitted by servitude.

3041. That is the gentleman with whom you seem to have some difference. Mr. Gadesden is a sugar baker?—He is not now; that was his business at one time; he is, except that he is a Director of the London and Westminster Bank, retired from business.

3042. Mr. Gray is a commission agent, is he not?—Mr. Gray was formerly an exporter of plate and plated wares, and has all his life been well acquainted with the manufacture of plate.

3043. Mr. Cattley is a Russian merchant, is he not?—He has retired from business.

3044. And Mr. Wilson is in the silk trade?—Mr. Wilson was never in any business at all.

3045. Mr. Matthey is an assayer?—Mr. Matthey is an assayer, metallurgist, and manufacturer of the precious metals.

3046. Mr. Brand is a merchant?—Mr. Brand is a merchant, a member of the firm of Harvey, Brand, and Co.

3047. Sir Thomas Gabriel is in the timber trade?—Sir Thomas Gabriel is in the timber trade.

3048. Mr. Pixley, a bullion broker?—Mr. Pixley is a bullion broker.

3049. Sir Frederick Bramwell a civil engineer, Mr. Copeland a porcelain manufacturer, Mr. Norbury a stockbroker, Mr. Fleming a merchant, Mr. Thomas a retail silversmith and dealer in old plate?—I do not think you could say that he is a dealer in old plate; Mr. Thomas's shop in Bond Street is very well known.

3050. It is not a term of reprobation surely?—He is one of the leading men in the business.

3051. I do not suppose it is intended to use that expression offensively. Mr. Holland is in the linen trade; Mr. Page is a provision dealer?—He is a merchant.

3052. Mr. Smith manufacturing silversmith, Mr. Trotter a stockbroker, Mr. Lambert a retail silversmith and dealer in second hand plate, Mr. Lucas a builder?—Mr. Lucas is more than a builder, he is the great contractor.

3053. Mr. Hoare a banker, Mr. Pym a banker and a member of Coutts'?—Yes, a partner in the firm of Coutts & Co.

3054. (*To Mr. Walter Prideaux, junior.*) Mr. Burt desired to put to you a question about the plate, but he has had to go away. The question is with respect to Messrs. Fry and some Indian plate. Are these the facts of that case. On the 19th of September, 1881, the writer of the letters I have here says, "I paid the "sum of 24*l.* 9*s.* for Customs Duty on 326 ounces of "silver plate ex Peshawur from Bombay on the 28th of "September, 1881, in conjunction with Messrs. Fry and "Company. I sent the plate to the Goldsmiths' Hall "to be assayed and stamped as required by law before "the plate is sold. On the 5th October, 1881, I was

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" informed that the same was under standard, and must " be broken up. I forthwith made application to the " wardens of the Hall that the silver might be exported " under bond, but the application was refused, and on " the 22nd October the plate was returned broken up. " I was also informed that the duty could not be repaid " by the Goldsmiths' Hall authorities, and that I must " apply to the Customs to whom I had paid it. At the " same time I was furnished with a certificate that the " silver had been broken up. On the 31st October, " 1881, I petitioned the Board of Customs for a return " of the duty, and placed the above-mentioned certificate " before them. They replied that " they could not " 'return the duty, because the plate had been taken " 'out of the charge of the officers of their department.' " I then petitioned the Honourable Board of Inland " Revenue, and on the 10th February, 1882, received " notice that the Lords of the Treasury sanctioned the " repayment of the duty 'on the condition that the " 'officers of the Customs who examined the plate on " 'its importation were satisfied as to its identity.' In " reply, I addressed the Honourable Board of Customs, " showing that the plate had been entirely smashed, not " a handle, foot, or body left whole, and that identification was in the documents only." And he wishes attention directed to these points; he says, " the loss " actually incurred was about 100*l.*, as the goods were " 'finished;' had they been of English manufacture " they would have been sent to the Hall in the rough " state, and, if broken up, the loss would not have " amounted to one half that sum." Then he says, " the duty was returned," and he says, " no method " exists whereby an importer can get a return of the " duty in the simple manner accorded to the English " manufacturer." Then he says in a subsequent letter: " I did all in my power to prevent the plate being " broken. I offered a bond for double the value of " the plate, and applied that it might be repacked in " the Hall;" and then he says, " I further pointed " out that the intention of the law was that no plate " of inferior quality should be sold in England, and " that if my request were entertained such intention " would be fully carried out. The reply was, that " 'the law requiring all plate below standard to be " 'smashed applied equally to manufacturers and im- " 'porters.'" Then he submits, that " when those " laws were passed, the importation of silver plate " was probably non-existent"?—As the letter has been read to the Commission, I should like to mention this fact. Mr. Fry, who, I presume, writes this letter, is not a silversmith at all, he is a mere commission agent.

3055. The letter is written by Mr. Wood?—I was not aware of that, but it makes no difference; Mr. Wood is not a silversmith, and his statement is very inaccurate.

3056. (*Chairman.*) That makes no matter it seems to me; a gentleman has a right to sell plate if he sells honestly, and if he brings to your hall plate below the standard you find out that it is below the standard and under the Act of Parliament you break it up. That is hard upon him, but if it was below the standard that was not your fault?—I would make this one remark, when Mr. Fry came to Goldsmiths' Hall and informed me that there was this large parcel of plate at the customs from India, knowing the silver from India to be very much below the standard, I strongly advised him on two occasions to have a private assay made before he sent the plate to the hall, telling him that we should have no alternative but to break it up if he sent it, and it proved to be below the standard. He disregarded that warning, told me that the plate had been made expressly for importation to pass the hall, that he was quite sure it would be all right, and he persisted in sending it. When we came to assay the plate, instead of its being made of rupee silver as he states (which is about two pennyweights worse than the British standard) there was no single article in the package less than 7½ pennyweights worse, and the great bulk was as much as 15 pennyweights worse than the British standard, so that it was not even made of rupee silver. I merely wish to mention this, as he was twice warned and recommended to have a private assay.

3057. (*Mr. Firth.*) The question Mr. Burt would have put would have been this: is that a state of things that is calculated to benefit or restrict the trade?—I think as long as the British manufacturer is obliged to send his plate to be marked up to a certain standard it would be very hard upon him if a foreigner could import such rubbish as that, which was 15 pennyweights worse than the British standard.

3058. (*Chairman.*) I do not want to argue that out, the difference is that it has not got your mark upon it, That is a very obvious difference. The buyer who buys without your mark knows that he is buying something without your mark upon it?—The British manufacturer cannot sell without his plate having our mark upon it.

The deputation withdrew.

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The following gentlemen attended as a deputation from the Fishmongers' Company:—

Mr. John Hampden Fordham, Prime Warden.

Mr. Walter Charles Venning, a senior member of the Court, three times Prime Warden.

Mr. Joseph Travers Smith, a senior member of the Court and past Prime Warden.

3059. (*Chairman to Mr. Travers Smith.*) I have read this document, and have no desire to cross-examine you upon it, because it sufficiently speaks for itself. I will only ask you what I have asked all the witnesses; you say that your property is in effect private property?—So we believe.

3060. Except any that is held (if there is any in the Fishmongers' Company) upon special trust?—Upon special trust or condition. I may say that we have rather a larger amount of strictly trust property than some of the other companies.

3061. Perhaps not strictly trust, but you maintain it to be your own private property?—We maintain that our corporate property is at our own absolute disposal.

3062. And that it would be the same if it were 10 or 20 times or 100 times as much?—It would be the same; at the same time I may add that we quite recognise that there is a moral duty attaching to the administration of that property, though not a legal one.

3063. That is the case of every private proprietor, is it not?—In a measure. I think I should like to say one word, if I may, because it is strictly *apropos* to what your Lordship has just said. I have taken out (knowing that was a subject to which the attention of the Commissioners had been drawn, and to which our attention was pointedly drawn in the first questions that were put to us) a few figures which I think may not be without interest to the Commissioners. Although we maintain that the property other than the trust property is at our own absolute disposal, I think the position of the matter is a little curious in this respect. The critics of the Company say you are bound to apply the whole of the increment upon the property which you receive for objects similar to those which are the objects of the direct trusts. We say, on the other hand, that it is at our absolute disposal; but while that is so, the Companies (at least the Company whom I have the honour to represent to-day) have really been spending on charitable objects and objects of beneficence and public utility very much more than the whole of the increment upon that very property; and not only so, but they have been spending very much more than the increment not alone upon that property, but upon the property which we claim to be at our own disposal as corporate property, even including in that corporate property such property as has been derived either

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from the fees or gifts or benefactions of our own members. I will give the Commissioners a few figures only in reference to that subject, and then I will not trouble them another moment. In the year 1700 the total net income of the Company was 2,078*l.* and some shillings and pence; in the year 1750 it was 5,797*l.*; in the year 1800 it was 9,728*l.*, in the year 1850 it was 17,041; and in the year 1881 it had increased to 38,500*l.* Now giving a few figures as indicative of the distribution of our funds in the last year that I have mentioned (and that is the last year for which our accounts have been tabulated and made up) the 38,500*l.* in the year 1881 was applied in this way. In charitable and benevolent objects internal to the Company, that is their own members, within a few pounds of 15,000*l.* during the year; by way of increment to one of the charities which has been confided to us (that is St. Peter's Hospital and Alms-houses) 3,400*l.*; in external charities (these are votes to various public charitable and beneficent institutions) 4,000*l.*, making 22,400*l.* applied to charities and benevolent objects out of an income of 38,500*l.* In addition to that we gave in that year 4,000*l.* for technical education, and we gave to trade objects 1,020*l.* The expenses of the entertainments and hospitalities of the Company were about (not quite but nearly) 5,500*l.*; so that in the year 1881, the income of the Company having been 2,078*l.* at the beginning of last century, and we having only received trust property that would pay an income of about 1,200*l.* a year since the beginning of the last century, we have spent, and that is not a greater proportion than has been in accordance with the universal tradition of the Company over a long series of years, 22,400*l.* in direct charitable and beneficent objects, besides 4,000*l.* on one particular class,—educational objects; and over 1,000*l.* (between 1,000*l.* and 2,000*l.*) on trade objects, and the prosecution of offenders under the Acts relative to the sale of fish, and assisting trade exhibitions and other matters of that sort. Of course there is a good deal that I might say in addition, but if the members of the Commission have no question to ask I will not intrude further upon them. I hope at any rate that the very short statement I have made will satisfy the Commissioners that we are applying not only the whole increment of any property that could have been treated as affected by a trust of any sort or kind, but I may say something like ten times the amount for charitable and beneficent objects, and that the proportion that we spend either on hospitality or entertainment or in a merely ornamental way is comparatively small.

3064. (*Sir Richard Cross.*) Do you take much interest in the Fisheries Exhibition going on?—A great deal. We are taking a very important part, I think I may say, in reference to that. We are advising constantly with the governing body of the exhibition, we have one or two members upon it, we are taking principal charge of the ceremonial connected with the opening, and have been really assisting them at all points. So, I may say, we did with regard to the Norwich Fish Exhibition, and we gave the use of our Hall and a very handsome subscription to the Shipwrights' Company, who are a small company and not a very powerful one, and with very small means. Really we paid their expenses in a large degree for them. That was a sufficiently important object to have brought the King of Sweden over for the purpose of inspecting the exhibition, and a great number of other foreigners of distinction. And in the same way we have done everything that has been done under the Acts for the condemnation of fish; wherever we hear of a breach of these Acts we immediately prosecute. No private person could do so, because it is exceedingly troublesome and exceedingly costly; we do it and do it successfully, and have never failed in any case. We have practically stopped the breaches of the Acts, because we have no cases of the kind occurring now. Persons find that a powerful body like the Fishmongers' Company are independent of the result; they know that we have the best information; they know also that we have practically an unlimited purse behind us; they know that we are determined to succeed, and that we have succeeded in every past case, and the consequence is that we really have been the best and most effective organization that there could be for carrying out these Acts, and, I may say, that it was intended that we should act in that way, because the wording of the principal Act is this, that the prosecution of the offenders may be by any authority lawfully acting under any Act, Charter, or Byelaw, or by any person appointed by that authority. There is no doubt that those words were put in to enable the Fishmongers' Company, and their fish-meters, to prosecute in such cases, because that Act was promoted by Mr. Frank Buckland, who was in constant communication with our Company at that time, as indeed he was, I may say, during his lifetime with reference to all matters of interest connected with fish culture, and the protection of the trade. I hope (we all hope) that the Commissioners are perfectly satisfied not only that we have been desirous that they should have every possible information that the Company possesses, but that it still is and always will be absolutely at their command.

(*Mr. Venning.*) I should like to say that we are desirous of removing from the mind of the Commission any unfavourable impression that may have been made as to the Company's management of their Irish estates in some of the statements, especially those made by Dr. Todd. We consider that our conduct has been very unfairly impugned by his statements.

3065. (*Chairman to Mr. Venning.*) If there is anything you wish to say in addition to the statement already sent in perhaps you will be good enough to say that first?—It has been alleged and much insisted upon that our Irish estate is held upon trust. It is perfectly clear from the documents that no trust whatever applies to us. There were certain trusts applying to the Irish Society, but we hold our Irish estate as undertakers having a clear conveyance from the Irish Society without any trust implied or stated in any way.

3066. You say, as I understand, that the twelve Companies and the Irish Society are separate things?—Quite separate things, but it was the aim of Dr. Todd to blend them. He spoke of certain public duties which certainly the Irish Society had to perform, and he applied them to the whole of the companies. It is perfectly clear that His Majesty King James I. when he proposed that the city of London should relieve him of the trouble of defending that part of his dominions from those whom he described as "the mere Irish," intended they should do so for their profit. He says so in so many words in the papers he put out.

3067. And possibly for his own profit?—Yes, for his own, undoubtedly, and to save the public purse, and the City Companies fully performed that duty. About the brightest page in Irish history (the raising of the great siege of Londonderry) was undertaken mainly at the expense of the London Companies. They supplied ammunition, they supplied provisions, and in fact they supplied the men. The deeds contained an express stipulation against alienation to the "mere Irish" and to persons who could not take the oath of supremacy. My friend, Mr. Fordham, reminds me that, in the great case of the Skinners' Company against the Irish Society, in which there were opinions taken with which I may perhaps trouble your Lordship, there are the opinions of Mr. Serjeant Joy and Mr. John Sylvester, a former recorder of London, that there was no subsisting trust.

3068. I think the legal members of the Commission are very well acquainted with that case?—Yes, no doubt they are. Then, my Lord, I can lay before you evidence to show that instead of having rack-rented the tenants, in the invidious sense of that word, we have been very indulgent landlords. We have never raised our rents except as the result of valuations made by Irish valuers. We have never sent a valuer or estate agent from England, or even from Dublin;

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but we went to Londonderry for our valuer, and every field was valued on its own merits after an examination of the soil and all other particulars. It may be an interesting fact, with regard to a large estate like ours, that up to the present time, taking the ten years over which your Lordship's inquiry ranges, from 1870 to 1879 (and I think it would be gratifying to many English landlords to be in the same position that we are)—that in those ten years our loss of rent amounted to a sum of only 22*l.* 12*s.* 6*d.*, that being pretty good evidence, we imagine, that our Irish tenants cannot be very severely rack-rented. There are a multitude of facts of that kind if it were not that one would be afraid of fatiguing your Lordships by giving them.

3069. Though it is a separate thing and independent of law the Irish Society is composed of the twelve Companies, is it not?—My Lord, it is a kind of committee of the Common Council; there are four or five aldermen and the rest are members of the Common Council, not necessarily connected with any Company whatever.

3070. But as a fact, are they not always members? —No, they are chosen from the Common Council: in former times, I believe, the Common Council were all members of Companies, but it is not so now. The Prime Warden reminds me that we took the management of the estate on the death of George the Third in 1820. During the years that have elapsed since, the rise of rent on our estate has been perfectly insignificant; it was valued and let in 1820 at 7,600*l.* and it is now rented at only a few hundred pounds more than it was in the year 1820. It was one of Dr. Todd's assertions that we had done nothing for our tenants. We have in the document with which we have troubled your Lordships, shown that during the last 60 years we have spent 189,000*l.* upon various public works, upon charities, and upon schools. We have at all times supported schools over the estate in which the children of working men as well as of tenants, are educated, and we have spent a considerable sum upon buildings and roads and plantations. In fact we have done everything which a prudent landlord would do under the circumstances, and the expenditure comes to that large sum of 189,000*l.* in the 60 years. Then another fact which we have shown to your Lordship in detail in our statement is the enormous sums at which our tenants sell their tenant right. Many of the tenants having leases with about 12 years to run have sold their tenant right from time to time (we have rather a long list of them), at an average equal to 25½ years, purchase, which really goes very far to negative the possibility of there being any "rack-rent" in our case.

3071. There again you see that is your view. I do not doubt the fact at all—Yes, it is our view; but we are prepared to prove every fact of this kind.

Adjourned *sine die.*

SUPPLEMENTARY STATEMENT ON BEHALF OF THE FISHMONGERS' COMPANY, PRESENTED TO THE ROYAL COMMISSION APPOINTED TO INQUIRE INTO THE CITY OF LONDON LIVERY COMPANIES.

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In replying to the invitation of Her Majesty's Commissioners to offer any remarks or further explanations which may appear to arise on the evidence that has been given before the Commission, the Fishmongers' Company and its governing body desire to avoid anything that might appear to be recriminatory or to bear the aspect of harsh or personal comment; especially as it is sufficiently obvious, without detailed criticism, that some of the witnesses have been misled by prejudice in many of the statements made, and have not been guided solely by a regard to public considerations.

It is alleged that the companies, in their returns, have not disclosed the full value of their respective properties. To this the Company reply that, while they have rendered a full return of their income, they consider that any endeavour to fix a hypothetical value on their property, apart from a statement of the income derived from it, and of the outgoings and mode of expenditure of the net proceeds, would have involved special, needless, and very costly valuations, and would not have aided the inquiries of the Commissioners. The *rated* value of the properties for occupation obviously bears no relation to the Company's interests therein, which in many cases are those of ground landlords only. They have desired to give every information in reference to the whole of their property, as on every other subject of the Commissioners' inquiries.

On the general question of the Company's right to the absolute and plenary possession and uncontrolled disposal of its corporate property, it is sufficient simply to recall attention to the second paragraph of their return already made, in which it is stated, with perfect accuracy, that no part of it has been derived directly or indirectly from any public source, but the whole from its own members or from other private sources. What has been purchased has been paid for out of the Company's own moneys. Where it has been acquired subject to any condition, the condition has been fully and loyally performed.

On this subject a passing reference may be made to the clear opinion expressed by the Lord Chancellor, when he appeared before the Commissioners as representing the City and Guilds Technical Institute; also to the series of decisions in the Court of Chancery in the cases relating to the Company mentioned in page 3 of the Company's return; to the decisions in Attorney-General *v.* Wax Chandlers' Company (House of Lords, 1873, L. R. 6, App. 1), and Brown *v.* Dale (9 Ch. D. 78), and to the numerons cases in which, even where trusts, and not merely conditions, were attached to the ownership, any surplus of property or income has been held (where such trusts were limited), to belong to the Company absolutely.

As respects many of the trusts confided to the Fishmongers' Company, the objects of which are of a beneficial character, the Company have made large additions to the trust property from their own funds.

In the case of Sir John Gresham's Grammar School at Holt, in Norfolk, the Company have from time to time supplemented the trust funds, especially for the purposes of rebuilding and repairs, the amount in which the trust was indebted to the Company, at a not very distant date, having been over 10,000*l.*, and this notwithstanding the constant warnings of the Charity Commissioners that the Company were doing this at their own risk, and that they could in no case be permitted to apply any part of the capital of the trust funds in repayment of their advances; nor any part of the trust income, except within a period of 30 years.

In the case of Quested's Trust and the other trusts for the almshouses at Harrietsham, the income of which is only 108*l.* 10*s.* 4*d.*, the Company, from their own funds, supplement the income of the charity to the extent of 300*l.* a year.

In the case of St. Peter's Hospital, Wandsworth, the Company, in the year 1849, from their own funds, rebuilt the almshouses at a cost of 26,840*l.*; and they spend annually in the support of this benefaction for their own poor members 3,800*l.* a year, although the yearly income of the trust property is only 377*l.* 7*s.* 8*d.*

As an instance of the Company's desire to contribute largely for useful public objects, it may be mentioned that in 1875 and the two following years, they laid out above 15,000*l.* in erecting industrial dwellings for artizans on a portion of their property in Walworth.

The Company having been in its origin a trade guild, one of the main objects of which was the government and protection of the members of the mistery or industry, the hereditary right to membership (which could not be and cannot be abrogated short of direct spoliation of private interests), and the gradual, if slow, growth of the property of the Company, have by degrees, and in the course of many centuries, given increased prominence to its character as a benefit society.

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Its income has, from time immemorial, been applied for the following objects:—In furtherance of objects of interest to the trade, in the comparatively few instances in which this has been practicable; in supervision of the markets and other places where fish is sold, and the seizure, condemnation, and destruction of bad and ununwholesome fish; in the support or temporary aid of its poorer members; in pensions for the support and education of the children of its members, if destitute or insufficiently provided for; in aid of the sick, helpless, and aged; in support of the Company's almshouses at Wandsworth, Bray, and Harrietsham (not in doles of bread or money); in educational work and exhibitions; for objects of public charity and utility; and in hospitality and entertainments; and more recently in the prosecution of offenders against the various Acts of Parliament relating to the taking and sale of fish, passed during the last few years; and in promoting technical education.

No further explanation is probably needed, unless in reference to the expenditure on hospitality and entertainments, and this, it is believed, can be fully justified, although it has been the subject of some hostile criticism. It is in accordance with the usage and practice of the city companies generally, as well as of the Corporation of London, and, being sanctioned by the immemorial usage and traditions of the Company, is, by strict presumption of law, in accordance with its charters and a proper exercise of the powers of the governing body. It is further matter of fair comment that all the members of the Company are interested in the benefits derivable from the corporate property; that every freeman of good character is eligible to the livery on payment of the required fee; and that, dividing the members roughly into two classes, namely, those who need and those who do not need and would not accept any pecuniary aid from the Company's funds—the former (the needy) are by far the smaller body. Almost the only mode in which the latter can derive any benefit or gratification from their membership (apart from the possession of the municipal and parliamentary franchises) is by partaking of the Company's hospitalities. The funds thus employed for the benefit of the *larger* are *less* than one-third of those applied in assisting the *smaller* body. It may fairly be noticed, in addition, that in a country where public hospitality to persons of distinction, native or foreign, hardly exists, except in the cases of the London Corporation and the City Guilds, this is not without public benefit, while strictly in accordance with ancient usage and tradition, and at the same time affording frequent opportunities to statesmen and politicians of eminence for an informal exposition of their political views and intentions, often of great public interest and importance.

It has been alleged that the expenses of management are very large; but they are not excessive. The income of the Company is considerable, derived from many sources, and its application distributed over a multitude of objects, requiring great and minute care, and a large amount of labour on the part of a skilled and capable staff. Every account and payment is submitted to a strict audit. The attendance fees of members of the court (the whole pecuniary benefit which they derive from the Company) are less than the attendance fees of the directors of many, if not of most, public companies of anything like equal importance, and only represent time and work honestly bestowed. The average amount of the fees paid to the members of the court during the 10 years, 1870 to 1879, has already been stated in the Company's Return (p. 41). From this it appears that the average annual amount of each member's fees, including the wardens, during that period, was 56*l*. 14*s*. 10*d*.

A question has been raised as to the principle of selection adopted for members of the court, and it has been stated that this is "quite a mystery." It is susceptible of very easy explanation. The members of the court must be persons possessing qualifications as men of business; and when they become wardens, and especially when they succeed, in rotation, to the office of prime warden of the Company, should be qualified, socially, to conduct the public business of the Company, and to receive and entertain guests of distinction. These considerations render some selection, apart from mere seniority, essential, or at any rate highly desirable. Great weight is attached to the claims of old family association with the Company. In the instance of the elections on the court of which complaint has been made (answer to question 1,218), the gentlemen selected were born free of the Company, and their families have been long associated with it, several of them having been members of the court, three, at least, prime wardens, and some of them men of high public and social position.

The statement that any compulsion has ever in modern times been exercised on any person to become a member of the Company is destitute of any foundation; so is the statement that anyone has ever been threatened, on the part of the Company or its governing body, with being turned out of the guild.

No clause against persons sleeping on the premises has ever been inserted in any lease granted by the Company.

The Company's Irish Estate.

The title of the Company to their Irish estate is derived under a deed of grant of the 24th of October 1618, referred to in page 4 of the Company's former return.

By that deed the Irish Society, "for and in consideration of a certain competent some of monie to them in hand paid," granted to the wardens and commonalty of the Mistery of Fishmongers the manor of Walworth, with its appurtenances (being the Company's Irish estate), "to hold to the said wardens and commonalty, their successors and assigns, for ever, to the only use and behoof of the said wardens and commonalty, their successors and assigns, for ever," with a covenant by the society for the wardens and commonalty peaceably and quietly to possess and enjoy the same "to their own use and uses for ever."

Prior to the date of this deed of grant, namely, on the 29th of March 1613, King James I. had granted the Irish plantation, of which the manor referred to formed a part, to the Irish Society thereby incorporated, subject to the performance by the Irish Society of certain conditions necessary for the protection and advancement of the plantation. The objects and intentions of the grant were expressed in certain articles published by the Privy Council (already referred to before the Commissioners), which, among other things, provided against any part of the lands being "demised at will only, but for years, for life, in tail, or in fee simple," against the grantees selling or demising their lands "to the mere Irish," or at all during five years from the date of the intended grant, but declared that, after such five years, they should be entitled to alien the same to all persons "except the mere Irish"—obviously now an obsolete condition, although the only one that can now by any possibility be deemed to subsist. All the other conditions determined at the expiration of five years from the date of the Irish Society's charter, and therefore prior to the date of the conveyance to the Fishmongers' Company.

It is, therefore, indisputable that no trust nor even condition attaches to the Irish estate of the Fishmongers' Company, as held by them since the 24th October 1618, unless it were the obsolete condition before referred to.

The Company, for many years after the purchase of the Irish estate, from time to time let the whole on lease to successive single tenants. The last of these leases is the only one to which it is now necessary to refer. It was granted in 1747 for sixty-one years and three lives; the survivor of these lives was His Majesty King George III., on whose death, in 1820, the Company entered into the direct management of their estate.

The Company sent over to Ireland in that year a deputation of members of the court, who spent many weeks in investigating the condition of the estate and the circumstances of the tenants.

The deputation obtained the advice of the most competent authorities in the neighbourhood, and made a full report, now in possession of the Company.

The estate was re-let on leases for 21 years in accordance with the valuations which the deputation had obtained, and on the recommendations contained in their report, at a total rental of 7,418*l*. 4*s*.

It is impossible to compare the new rents thus fixed with those which the tenants had been previously paying, as it appears from the report referred to that the Earl of Tyrone (the Company's lessee) had granted leases to his Protestant tenants for the same term of years and the same lives as he held the estate, but at large premiums.

The result of an examination of the documents in the possession of the Company shows that the statement that the rents were quadrupled is grossly exaggerated, and that the statement that they were arbitrarily fixed without a valuation is misleading.

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So far from the rents having been arbitrarily fixed without valuation, a temporary letting for a year took place in order that the rental might be fairly adjusted, and in 1822 leases for 21 years were granted and accepted by the tenants at substantially the same rents; these leases continued until 1843.

In April 1843, prior to the expiration of these leases, the Company engaged the services of Messrs. Nolan and Co., surveyors of known eminence in Londonderry, to re-value the estate.

In 1844 they reported on the letting value of each holding, and the total of their valuations was 7,637*l.* 14*s.* 11*d.*, but, owing to the depressed state of agriculture at the time, and the famine and distress in Ireland, which rendered necessary the grant of assistance to the tenants in remission of rents and otherwise, no systematic re-letting of the estate took place, but the tenants continued to hold their farms on the basis of the expired leases until 1852, when a deputation was appointed to proceed to Ireland to make arrangements for the re-letting of the estate.

In pursuance of their report new leases for 21 years were granted from 1851. At this re-letting, in view of the circumstances above referred to, a considerable reduction was made from Messrs. Nolan's valuation, and, notwithstanding that a large amount had been laid out by the Company on the estate, the net rental reserved by the new leases, after deducting the value of lands in hand and half the poor rate paid by the Company, was about 7,000*l.* per annum only.

The last-mentioned leases expired in November 1872, when Messrs. Nolan again valued the estate, with a view to new leases being granted.

The gross amount of such valuation was 9,507*l.* 5*s.* 9*d.*, but this amount included 5*s.* per acre allowed by the Company to the tenants for all lands which they had brought into cultivation during the previous leases, and also an amount in respect of lands held in hand, woods, mountains, town-parks, &c. not leased to tenants. It was also subject to deduction in respect to half the county cess, formerly paid by the tenants, but then first assumed by the Company, as well as half the poor rate. After making these allowances, which amount to about 2,040*l.*, the actual increase in the present rental under the new leases is estimated to be less than 500*l.* a year, and this increase is in a great measure due to the large expenditure made by the Company on the estate since the previous leases were granted, the interest on which is included in the rental.

On a careful comparison of the present net rental of the estate with the net rental fixed at the time when the estate fell into the Company's hands in 1820, it appears that there is but little actual difference between the amounts.

As further evidence that the estate has been leased on moderate rents, the Company append a statement showing the premiums for which leasehold interests of their tenants have from time to time been sold since 1857:—

Year.	Tenant.	Acreage.			Rent, including County Cess and Poor Rate.			Premium paid by Assignee.		Time the Lease had to run.	Number of Years' Purchase.
		A.	R.	P.	£	s.	d.	£	s.		
1857	Cresswell -	11	0	2	6	0	0	145	0	15	24⅙
1859	Cherry -	133	1	26	89	0	0	1,190	0	13	13⅓
	Patchell -	68	3	32	13	10	0	550	0	13	40¾
1860	Hill - -	22	3	14	83	16	0	400	0	12	4¾
	Collins -	52	2	13	25	6	0	285	0	12	11¾
1862	Eakin -	30	3	29	17	1	0	300	0	10	17¾
	McLarry -	12	3	9	5	0	0	125	0	10	25
1863	Parkhill -	26	2	34	6	10	0	160	0	9	24½
1864	Breeson -	41	0	13	11	0	0	290	0	8	26⅓
	Irwin - -	20	1	7	11	2	0	200	0	8	18
1865	Rosborough -	55	1	21	14	0	0	200	0	7	14⅓
	Leslie - -	91	1	35	26	0	0	600	0	7	23
	McCormick -	30	1	4	13	15	0	280	0	7	20⅓
	Loughery -	113	2	29	34	0	0	600	0	7	17⅗
1866	McLaughlin -	24	0	5	7	10	0	105	0	6	14
	Wilson -	40	1	26	26	0	0	710	0	6	27⅓
	Eakin - -	22	3	30	9	5	0	270	0	6	29⅕
1867	McGrath -	33	2	7	36	0	0	500	0	5	14
	Blair - -	25	0	6	14	10	0	400	0	5	27½
1868	Semple -	597	3	31	30	0	0	280	0	4	9⅓
	Mullan -	41	0	12	13	0	0	450	0	4	34⅗
1869	Thom - -	65	3	17	12	10	0	575	0	3	46
1870	Eakin - -	79	3	21	28	0	0	650	0	2	23¼
	Cochrane -	35	2	7	27	0	0	650	0	2	24
	Shannon -	39	2	16	37	10	0	730	0	2	19⅓
1872	Brizzle -	47	2	27	14	3	0	467	0	exp.	33
	Christy -	40	1	10	12	5	0	150	0	do.	12½
1873	Patchell -	24	1	24	22	0	0	650	0	20	29½
	Patchell -	66	1	35	26	5	0	830	0	20	32½
	McClosky -	57	1	21	17	0	0	327	0	20	19⅓
	Craig - -	8	2	29	20	0	0	280	0	20	14
1874	Reid - -	8	0	3	9	10	0	310	0	19¾	22½
	McClosky -	21	2	26	11	15	0	310	0	19¾	27
	Millar - -	45	0	29	16	10	0	410	0	19½	25
	Loughery -	20	3	13	15	10	0	370	0	19	24
1875	McClelland -	18	0	34	26	5	0	577	10	18¾	22
	Ross - -	27	0	8	17	5	0	425	0	18½	25
1876	McKeisack -	16	3	31	12	10	0	440	0	17½	35⅕
	Green - -	16	3	8	11	15	0	250	0	17½	21⅓
	Hamilton -	12	1	11	6	10	0	450	0	17	69¼
1878	Brizzle -	119	1	10	27	0	0	800	0	16¾	29½
	Smyth - -	28	0	32	12	0	0	540	0	16¾	45
	Atkinson -	33	1	34	41	5	0	880	0	15	21½
1879	Rosborough -	45	2	24	25	10	0	360	0	14¾	14⅓
	Gormley -	26	0	7	14	5	0	415	0	14¾	29⅙
	Kane - -	66	0	16	6	15	0	200	0	14¾	29½
	Williams -	22	3	22	8	10	0	250	0	14½	27
	Toner - -	24	2	5	14	15	0	775	0	14½	52½
	Miller - -	34	1	28	18	10	0	500	0	14¼	27
	Henry - -	47	3	26	40	0	0	1,130	0	14	28¼
	Miller - -	37	1	3	16	15	0	400	0	14	23¾
	McDonagh -	24	2	31	12	0	0	400	0	14	33⅓
1880	Walker -	16	1	2	3	15	0	162	0	13¾	28
	Stewart -	22	0	22	18	10	0	540	0	13¾	29⅕
	Cochrane -	34	3	10	16	10	0	450	0	13¾	27¼
	Clarke - -	18	1	21	20	0	0	820	0	13½	41
	Ross - -	51	1	28	41	0	0	805	0	13¾	19⅓
	Craig - -	203	0	5	24	13	3	600	0	13½	24⅓
	Sloane - -	19	1	20	24	10	0	500	0	13½	20½
	Brizzle -	169	2	5	29	10	0	510	0	13⅓	17⅓
	McGreelis -	8	1	37	3	15	0	200	0	13	53⅙
	Ferguson -	28	2	26	14	0	0	600	0	13	42¾
1881	Fleming -	90	0	13	34	0	0	815	0	12	24
1882	Coyle - -	23	2	19	17	0	0	295	0	11½	17⅓
	Whiteside -	111	0	38	16	0	0	130	0	11½	8
	Bryson -	18	3	28	17	15	0	505	0	11½	28½

The above Statement contains particulars of all the sales of which full details have been furnished to the Company on applications for licenses to assign.

The foregoing statement shows that no less a sum than 30,473*l.* 10*s.* has been paid by incoming tenants in purchasing leases under the Company, of which, on an average, only 12 years were unexpired—the amounts so paid being, on an average, 25½ years' purchase.

The evidence of two of the witnesses would convey the impression that the Company have done little for the benefit of their Irish estate, and, with some quite unimportant exceptions, nothing for their tenants.

A careful examination of the Company's books leads to an opposite conclusion.

They show that from the year 1820, when the estate fell into the Company's hands, down to the year 1881, the Company have expended large sums in road-making, irrigation, the construction of river and canal banks, the supply of building and other materials, labour, grants and allowances to tenants, planting, the building of cottages, mills, and dispensaries, the maintenance and support of seven schools, wherein excellent practical education is given to more than 500 children of the tenantry and labourers on the estate, towards the erection and maintenance of places of worship, Episcopalian, Presbyterian, and Roman Catholic, in grants towards the support of their ministers, and in casual relief and pensions.

Without entering into needless detail, the following may be taken as a perfectly fair approximate statement of the amounts expended under the several heads since 1820:—

	£
For roads, irrigation, river, and canal banks - - - about	28,558
For building materials supplied, labour thereon, grants and allowances to tenants - - - about	26,443

	£
For cottages, dispensaries, mills, reclamations, town parks, farming societies - - - - about	33,722
For trees, woods, and plantations about	20,632
For schools - - - - about	33,528
For places of religious worship and donations to ministers - about	21,292
For relief, pensions, and donations to the sick, aged, and destitute on the Company's estate - - about	24,849
	189,024

Frequent references have been made in the evidence given before the Commission to the alleged desire of the Irish tenantry to buy their holdings.

This is a subject which has engaged the careful attention of the court, who have, without pledging the Company to any particular course of action, passed the following resolution:—

"That, having regard to the course of recent legisla-
" tion relating to land in Ireland, this court is of
" opinion that it would be desirable that the Company
" should, at the proper time, sell their Irish estate to
" the occupying tenants, so that each tenant may have
" the opportunity of purchasing the freehold of his
" own holding on reasonable terms."

As respects any reforms that might be suggested, the Company would refer to what appears in their return already submitted. They are willing and desirous to adopt any proved reform consistent with the duty to preserve the rights of the Company confided to the guardianship of its managing body. As to the suggestions of witnesses, everything coming from the Senior Inspector of Charities under the Charity Commissioners is, of course, entitled to respectful consideration. But the scheme set forth by him appears far too wide, and, if it may respectfully be said, too vague, to be practically susceptible of adoption; while the proposals as to giving wider scope or greater control to the Company over the conduct of the trade would require the most careful handling to avoid exciting the jealousy or opposition of the very persons whom it might be desired to benefit. At the same time the court of the Company are quite prepared to give effect to any practicable suggestions for establishing relations closer than those at present existing between the Company and the trade.

As respects the number of the governing body, which is fixed by the charters, if this were reduced, it would be disadvantageous to the livery, the persons from whom the court is selected; and if seniority were made the qualification for membership of the court, the efficiency of that body for the government of the Company would be certainly reduced, from the extreme age of its members; the youngest member of the court at this moment, had the rule of seniority prevailed, would be over sixty-five years of age. The management of the Company's affairs would, under such a rule, fall to an undue extent into the hands of its officers, with little, if any, effective control; and there would immediately arise a tendency to make the livery far more exclusive, to the serious prejudice of the body of freemen, while the inducement which mainly influences the most desirable of its members to join the livery would no longer exist.

EIGHTEENTH DAY.

Wednesday, 11th April 1883.

PRESENT:

THE RIGHT HONOURABLE LORD COLERIDGE, IN THE CHAIR.

HIS GRACE THE DUKE OF BEDFORD, K.G.
THE RIGHT HON. VISCOUNT SHERBROOKE.
THE RIGHT HON. SIR RICHARD A. CROSS, G.C.B., M.P.
SIR NATHANIEL M. DE ROTHSCHILD BART., M.P.
SIR SYDNEY H. WATERLOW, BART., M.P.
MR. ALDERMAN COTTON, M.P.
MR. WALKER H. JAMES, M.P.
MR. JOSEPH FIRTH, M.P.

MR. H. D. WARR, *Secretary.*

Deputation from Cutlers' Company.

11 April 1883.

The following gentlemen attended as a deputation from the Cutlers' Company:—

Mr. Graves, and

Mr. Beaumont, the Clerk of the Company.

3072. (*Chairman to Mr. Beaumont.*) I understand that you wish to make some explanation with regard to this passage, which appears in Mr. Firth's book "Municipal London:" "The responsibility of a seat "in the court carries with it a salary: the meetings "of the committees are duly paid for; some Com"panies have dinners of some kind as often as once "a week, and lucky are the committee-men of such "Companies, for in addition to their salaries, they "sometimes find a bank-note delicately secreted "under their plates, and sometimes find huge boxes "of bon-bons upon them"?—I only wish to do so if that statement can be treated as referring, as I understand Mr. Firth has done, to the Cutlers' Company.

3073. Do you wish to state that, so far as you can state it, you are a stranger to anything of the kind?—I should wish to state, as representing the Company, that I have been concerned for the Company as assistant clerk and clerk for very nearly 20 years, and my father was clerk before me for 35 years. During the period that I have been assistant clerk and clerk the whole of the affairs of the Company have been before me, and I am prepared most positively to contradict the statement.

3074. (*Sir Sydney Waterlow.*) What statement?—The statement that my Company has at any time placed bank-notes under the plates of the court or given them any sums of money beyond the fees which were formerly two guineas, and which are now three guineas. Mr. Firth seems to have confined his statement to a period within the last 20 or 25 years. Accordingly I have gone through the accounts of the Company carefully for the last 50 years. I find they have always been kept with strict accuracy, that the fees paid to the various members of the court are entered in detail, and that there is no trace of any payment made to any member of the court beyond the fees sanctioned by the court for the time being.

3075. (*Chairman.*) What are the fees for?—The fees are for attendance at the monthly meetings. The court of my Company meets monthly, and the fee which was formerly paid to a member of the court was two guineas, but it has been increased within the last 25 years to three guineas.

3076. How was it usual to be paid; in what form?—I ventured to suggest in a letter to Mr. Warr, that if there was any foundation for this statement it might arise from this: The practice of my Company is to place the fees in small sealed envelopes, which are placed either beside the members of the court or on a tray where they can take them immediately after the court business is over.

3077. Not on the dinner table?—Not on the dinner table but in the court room.

(*Mr. Graves.*) I have been on the court for 20 years, and never met with a case of the kind suggested, and my wife's father and grandfather have been connected with the court for the last 100 years, and they have never heard of such a thing existing in the Cutlers' Company; certainly during the nearly 50 years that I have known it, such a thing has never occurred.

3078. Is there anything else that you wish to add?—No.

3079. (*Mr. Firth to Mr. Beaumont.*) I should like to ask you whether you ever read this evidence before the Commission of 1854: "It is still customary to "place a five or ten pound note under the plate of a "liveryman invited if a member of the Court of "Assistants"?—I do not know what you are referring to, Sir; what evidence is this? Is it with reference to my Company?

3080. No; I ask you in the first instance whether you ever heard of that evidence given before the Commission in 1854 by Mr. Hickson?—No; I never heard of it.

3081. Have you ever heard of a case which supports the truth of that evidence?—No.

3082. You do not contest the part of the book which has been quoted as to bon-bons, I suppose?—Bon-bons are frequently given.

3083. I see you have ladies' dinners, at which presents costing sums varying from 65*l.* and upwards to 100*l.* or 150*l.* are given?—We have a ladies' banquet every year, and give them presents; which probably amounts to 60*l.* in a year.

3084. (*Sir Sydney Waterlow.*) In what form do you give the presents?—Either some small piece of cutlery or some small thing which the lady could wear, but nothing to the members of the court.

3085. (*Mr. Firth.*) You had a clerk, I notice, two years ago who defaulted to the extent of 1,133*l.*; was he the clerk of the Company?—No, he was my clerk.

3086. I notice that last year you expended 2,880*l.* in court fees, divers bills, and wine; that is more than half your income. I should like to ask you how the court fees were paid?—The court fees paid are 3*l.* 3*s.* to each member of the court who attends the court; but they are not paid until the court business is over.

3087. So far as you know, you say that you have never heard in your Company of a bank note being put under the plate?—Certainly.

3088. Have you ever heard of it in any other Company?—No.

3089. Mr. Pryor was a member of your Company, was he not?—Yes, a very highly respected member.

3090. (*Mr. Alderman Cotton.*) Your ladies' dinners have not been given until very recently, have they?—Many years ago there used to be ladies' dinners, which were discontinued because our Company was somewhat poorer than now. Within the last five or six years the ladies' dinners have been renewed.

3091. Not later back than five or six years?

(*Mr. Graves.*) It is about five or six years.

3092. (*Chairman to Mr. Beaumont.*) What is the total income of the Company?—Speaking without the figures before me, I think it is about 6,000*l.*

3093. (*Sir N. M. de Rothschild.*) You have not a

Deputation from Cutlers' Company.

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large funded income, have you ?—No, it is mostly from house property.

3094. (*Sir Sydney Waterlow.*) How long do the courts last for which the fee of 3*l.* 3*s.* is paid ?—They vary ; the fee includes the committee meeting as well as the court, and the entire business generally last from two to two-and-a-half hours.

3095. There is no separate Committee, is there ? —There is no separate fee for the members of the Committee.

3096. Do the members meet before the court ? —They meet one hour before the court.

3097. What would be the average value of each lady's present ?—Under 1*l.*, about 15*s.* I should say, speaking roughly.

3098. (*Mr. James.*) The court always dine together after their monthly meeting, do they not ?—Yes.

3099. Is the tray on which these envelopes are placed in the same room as that in which the dinner takes place ?—No, the tray is placed in the court room immediately after the business, so that each member can take his fee as he leaves, unless it is handed round to him.

(*Mr. Graves.*) A great deal of the funds have been derived from persons purchasing their livery.

3100. (*Mr. Alderman Cotton to Mr Beaumont.*) Your general custom is to hand the fee round, is it not ?—Yes.

3101. (*Mr. James.*) What are the duties of the beadle of your Company. I see he has a salary of 150*l.* ?—He has to look after the hall ; he is nearly always at the hall to answer all messages sent there, and to attend to the court and the committee meetings.

The deputation withdrew.

The following gentlemen attended as a deputation from the Clothworkers' Company :—

Mr. Edward Gregory (*Master*).
Mr. W. H. Townsend (*Warden*).
Mr. J. Bazley White
Mr. James Wyld } (*Assistants*), *and*
Mr. John Neate
Mr. Owen Roberts (*Clerk*).

3102. (*Chairman to Mr. Townsend.*) We have your return and your statement ; if there is anything else by which you wish to supplement that statement the Commission are perfectly willing to hear it ? —Perhaps the statement would be taken as read, my Lord, as part of my evidence.

3103. If you please.—There is one inaccuracy, if I may say so, which I wish to correct if your Lordship will permit me to do so. It is in the sixth page, five lines from the bottom. It is the case of the Attorney General against the Haberdashers' Company. The reference is given wrongly to the fourth Brown's Chancery Cases ; the case referred to should have been stated as in the first Mylne and Keen's Report, page 420, before Lord Brougham.

3104. Is there any other correction that you wish to make ?—None other, I think.

3105. Is there anything you wish to add to the statement you have laid before the Commission ?—I think not, my Lord.

3106. (*Sir Sydney Waterlow.*) Can you tell the Commission in round figures what per-centage is spent on education and charity by the Company ?—In a series of years or in the year 1880, do you mean ?

3107. Whichever is most convenient to yourself ? —I think I can tell the Commission in general terms. We have taken three periods, 1802, 1842, and 1880, the last year to which the returns are made up. Speaking roughly, the total income of the Company in 1802, the corporate income and the trust income, amounted to 10,000*l.* Of that sum the sum of 2,700*l.* was the income of strictly trust property. That being deducted would leave 7,300*l.* as the amount of the corporate income. Out of that, the sum of 2,300*l.* or thereabouts was spent in what we may call voluntary charity or benevolence, and 5,000*l.* was spent in the management and the expenses of the Company generally. That would be a proportion spent in what I may call voluntary charity and benevolence of rather less than one third of the corporate income of the Company.

3108. That is in addition to the amount spent of course out of the trust property ?—Yes, that I put on one side. That is of course strictly allocated to the trust, and is applied accordingly. Then in 1842, as I understand, the total income of the Company had increased to 20,000*l.* It had in fact doubled. Of that sum the sum of 6,000*l.* was the amount of the trust property income. That had rather more than doubled in the forty years. Deducting that from the 20,000*l.* would leave 14,000*l.* Of that 4,000*l.* was spent for the purposes of voluntary charity and benevolence, leaving the sum of 10,000*l.*, that being 10,000*l.* for the management and expenses of the Company generally. That again would have been a proportion of rather less than one third applied for the purposes of voluntary charity out of the corporate income of 14,000*l.* Going to 1880 the total net income of the Company had increased to about 45,310*l.* Of that the income of the trust property had increased to about 11,310*l.*, which being deducted from the other, would leave 34,000*l.* Of that 20,000*l.* was applied for the purposes of voluntary charity, leaving 14,000*l.* for the expenses of the general management of the Company. The proportion therefore of the corporate income which was applied for general charitable purposes in the year 1880 had increased so as to be very nearly two thirds of the corporate income of the Company, and that proportion has still further increased in the two years which have elapsed since 1880. Thus we may say, in round terms, that of corporate income about two thirds are applied for the purposes of charity, education (general and technical), and other benevolent purposes, leaving an outlay of about 14,000*l.* for the management and expenses of the Company generally.

Deputation from Clothworkers' Company.

3109. As the income has increased, have the Company largely increased their expenditure on educational and charitable objects ?—They have very largely increased their expenditure on education and other charitable objects.

3110. I think the Company held a very valuable estate in Ireland some years ago ?—They did.

3111. When they sold that did they impose any obligations on the purchaser with reference to the maintenance of the charities and monies for a period of years ?—There was, I believe, no actual legal obligation imposed, but there was an understanding with the purchaser to expend sums amounting, I believe, to 242*l.* a year for the purposes of certain churches, schools, schoolmasters, and so forth on the estate for a limited term. The purchaser has complied with that obligation and has expended that amount up to the present time as I am informed.

3112. (*Chairman.*) What was the income of the estate ?—6,000*l.* was the rental.

3113. (*Sir Sydney Waterlow.*) The Company, as you have said, has a large income arising from trust property ; have they found that the obligations under some of those trusts have become obsolete, and have they applied for fresh schemes in order to render the trust funds more applicable to the wants of the present day ?—Yes, they have done so in many instances, under schemes either of the Court of Chancery, or the Charity Commission. Some of those charities were for loans and clothing, and have been diverted under the authority of the Charity Commissioners for educational purposes in connexion in particular with the North London Collegiate and Camden School for girls, in one instance, and in another for scholarships in connexion with elementary schools, and also in some degree for technical education. Another — Hobby's —charity was for the benefit of prisoners for debt, and that had become obsolete. That again under the authority of the Charity Commissioners has been diverted largely to educational and modernised charitable purposes. In other instances that has been done,

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and a great many of our charities, I think, are now either administered under a decree of the Court of Chancery, or under schemes framed at our instigation by the Charity Commissioners. I may say, the whole of our trust personal estate, consisting of divers funds and securities, is, I think, almost without exception vested in the official trustee of charities under the direction of the Charity Commissioners.

3114. Have the Company large funds for the relief of the poor members—freemen?—Some of the strictly charitable funds are applicable to those purposes, but they supplement them very largely out of their own corporate funds.

3115. Do the Company find that they have a sufficient number of urgent and necessitous cases of poverty arising among their own body to absorb the funds which were left for the poor of the Company?—Yes, I consider that they do. The applications are pressing and numerous, taken in connexion with the age of the people and their means. Some of the trust charity funds are specially devoted to that purpose, as I have said.

3116. Was a person of the name of Lambe a great benefactor to the Company some years ago?—Yes, a very great benefactor; one of the largest.

3117. Can you explain to the Commission the way in which Lambe's chapel, which was formerly in the city, was removed, and the manner in which the proceeds of the site were appropriated?—We first applied to the Charity Commissioners, and they were doubtful whether they could initiate a scheme for the purpose, and therefore we applied for a private Act of Parliament (Lambe's Chapel Estate Act), which was obtained in 1872, and which enabled us to remove the chapel which is now at Islington, and which we have rebuilt out of our corporate funds. That Act of Parliament settled the scheme for the application of the rents of Lambe's charity property, and also exonerated the corporate property of the Company entirely (in consideration of the burden which they then took upon them) from certain charges which had been imposed by Lambe's charity.

3118. Practically the Company removed the old chapel, and built a new church in a populous neighbourhood?—They built a new church in a populous neighbourhood where it was more wanted, and that they did out of their corporate property.

3119. How many years ago is it since the Company first subscribed towards technical education?—It began to take up the question in 1870. In 1876 I think it took the initiative in establishing the City and Guilds' Technical Institute to which it subscribes very largely.

3120. Were the Clothworkers' Company the first Company to subscribe to that?—They were the first Company. It was they (as I think the Lord Chancellor Lord Selborne mentioned in his evidence before the Commission) who took the active lead in the matter, indeed, if I might be permitted to say so, Mr. Mundella, speaking in our Hall in the year 1881, said, when he first became interested in that question, which was 16 years ago, the first persons that gave him any assistance at all were the Clothworkers' Company.

3121. Without going into detail, can you tell the Commission roughly how much money you contributed last year towards technical education in London and the provinces?—We contribute between 8,000*l.* and 9,000*l.* a year.

3122. Have you a large school in Kent, at Sutton Valence?—Yes, we have a large school at Sutton Valence.

3123. How many boys do you educate?—About 100 in the school itself.

3124. Do they get a collegiate education?—I may perhaps mention that we were constituted a distinct corporation of that school by a charter of Queen Elizabeth as a grammar school, and Latin is taught there; therefore, it is a classical school.

3125. I think that was a gift of Lambe's, was it not?—That was a gift of Lambe's.

3126. Have the Company supplemented the funds left by Lambe out of their corporate income?—The endowment of the school is very small indeed. I think the actual endowment only amounted to about 30*l.* a year, and thinking that the education of the school might be rather above the class of small farmers and so forth of the neighbourhood, we give that 30*l.* a year to the National school there, which admits boys of all classes without any religious distinction, and 20*l.* to the British school there; and we give to the school proper upwards of 1,000*l.* a year out of our own corporate income. We rebuilt the school some years ago (in 1864, I think) at a cost of about 8,000*l.* or 10,000*l.*, and a further addition in 1876 cost about the same.

3127. I think this Company have also a school at Peel, in the Isle of Man, have they not?—Yes, they have.

3128. Is that supported largely out of the corporate income?—Very largely indeed. It was founded under the will of Philip Christian.

3129. Can you tell the Commission how many members you have on your court?—About 40.

3130. Do you find that number larger or smaller than you think sufficient to do the business?—I do not think it is larger than it ought to be to do the business properly. The members attend and give very great attention to the subjects brought before them. There is a great deal of work connected with the administration of the Company and its charities, and there are men of different classes and rank in the court and of different attainments, and I think that their experience in their various branches of business and professions and private life are very valuable indeed on the questions brought before them. I do not think that the number of the court is any impediment.

3131. Do you think that the Company would be as efficiently conducted if there were 20 members on the court instead of 40?—I cannot say that, but I do not think that the number of 40 is inconveniently large, and we do get the benefit of the various experience and attainments of the different members.

3132. Of course the 40 cost double what the 20 would?—No doubt that does involve an increased cost.

3133. Are the whole of your trust funds administered without making any charge against the trust for management?—The whole of the trust funds are administered free of any charge whatever to the charities, there is no charge at all, we do not even accept the five per cent. allowed by the Court of Chancery and the Charity Commissioners as receivers. We pay the whole expense of the management of the trusts out of our own corporate income.

3134. I think it has been suggested in your return that the Company should pay succession duty, or a sum of money in commutation of succession duty, do you agree with that suggestion?—Yes, I do; we did put that suggestion in the returns in 1880, and we do think that that would only be a proper provision, it being a general provision not confined to the Companies alone but to owners of land in mortmain all over the country. We think that that would be fair and right, and, if we may respectfully say so, we should entirely approve of it.

3135. Have you, in your statement to the Commission, made some suggestion in reference to an alteration of the Charitable Trusts Act?—I may say we have been anxious to avail ourselves as largely as possible of the Charity Commission. We have full confidence in them: we have always gone to them in difficulty: we have put several of our charities under their revision—many were already under the Court of Chancery; and we should be quite willing that the powers of that body should be increased somewhat in the way (if we might suggest) indicated by Mr. Longley in his evidence before the Commission. For instance both Mr. Hare and Mr. Longley, mentioned the fetter or limit of 50*l.*; if the property of a charity exceeds that amount they are deprived of taking the initiative without the consent of the trustees of the charity. That is an impediment, and we should think that that limit might very well be done away with, subject to reasonable and necessary

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limitations and safeguards. Of course we are only a deputation from the court of the Company, and we cannot go beyond our powers, but in other respects I think I may say that we should be quite willing that the jurisdiction of the Charity Commissioners should be increased, safeguards being provided as was done, I think, by the Bill (amended in the House of Lords, to a certain extent) which was last introduced into Parliament in 1880, I think. To some extension of the powers to the Charity Commissioners we should most willingly accede, and I think that it would be very beneficial to charities generally.

3136. Has any large part of the Company's property been acquired, by bequest or otherwise, during the present century?—Some part has been, of course; the devises of land were made principally before the 18th century, but there have been some, West's and others, since.

3137. That was a trust bequest?—Principally trust bequest.

3138. I mean gifts or bequests for the benefit of the Corporation?—There was the one to which attention has been a good deal drawn, Mr. Thwaytes' bequests. He made two bequests, one of 20,000*l.* to found a charity for the blind (which sum is now represented by an investment standing in the name of the public trustee of charities, and is administered under the Charity Commissioners), and the other of 20,000*l.* further "to be used in a way to make the Company comfortable."

3139. How do you spend that?—I was going to explain that. A good deal has been said about it I observe in the evidence, and it has been much commented upon. The way in which it is spent is this. The charitable bequest we have largely supplemented out of our own funds so as to admit of pensions to a larger number of the blind than the 20,000*l.* (less legacy duty) which he left for that purpose would admit of. The income of the other 20,000*l.* is applied partly in payment of one of the dinners of the Company which is held on the first Wednesday in January in every year in commemoration of Mr. Thwaytes. That does not exhaust by any means the income of the legacy, and the remainder of that income is used in supplementing the blind pensions and for our general corporate purposes. The sum is invested in a way to produce a good income, and the balance of the income, after paying for this dinner, is applied as I have said.

3140. Do not the Company give very large sums of money in payment of exhibitions and scholarships at the colleges and many of the high class schools?—Yes, many exhibitions both to Oxford and Cambridge and King's College and to other Colleges and schools for young men and women.

3141. Has that been done for some years?—That has been done for some years.

3142. Do the Company receive reports of the method in which it works?—They receive the examiners' reports from the Universities of Oxford and Cambridge. In addition to that, I may mention that we have for the poorer class of students unattached exhibitions now both at Oxford and Cambridge, all which are given irrespective of religious opinions. In addition to that, we have also admissions to the North London Collegiate and Camden School for girls, and scholarships for competition among the public elementary schools of the metropolis, so as to get hold of any children who show any considerable aptitude. Some of the girls get to the North London and Camden College, and then if they distinguish themselves there they can be possibly passed on to the colleges at Somerville Hall, Oxford, or Girton and Newnham College, Cambridge, to which we largely subscribe, and to which we are increasing our subscriptions, and from which colleges we get returns of the conduct of girls that we send there.

3143. May I ask are the Company quite satisfied that they are doing good and increasing good by the payments they make for the higher education of young men and young women?—They consider so, and the reports confirm that.

3144. Have they increased from year to year their payments in that direction?—They have been doing so.

3145. (*Sir N. M. De Rothschild.*) You say you would like to see the powers of the Charity Commissioners extended, and that you put your own charities under the Charity Commissioners; perhaps you would not mind telling the Commission what advantage you think would arise to the public from further interference by the Charity Commissioners with other companies. Do you think that their charities would be better managed?—I may say that we have thought the Charity Commissioners' assistance useful. Probably the Charity Commissioners would require to be strengthened in some way; but we think that the charities are very well administered under their supervision, and some of us think it would be a proper thing that the charities of the country generally should be brought more under their control.

3146. Do you think then that the Charity Commissioners are better judges of the charity objects than the courts of the Companies?—I will not say that, but they are a public body entrusted with the control of charities, and we find that they do not interfere improperly with us. We submit our accounts to them, and if any change of investment or anything of that sort is required we find that they accede to our proposals as far as possibly can be done. In some instances if they do not approve they say so, but as a general rule they fall in with what is presented to them if they think it reasonable and we think that it is desirable. Of course we have no power to alter these obsolete charities without the sanction either of the Court of Chancery or of the Charity Commissioners, and we find that it is satisfactory that such of them as are obsolete or useless should be altered by means of a well considered scheme drawn up under the immediate supervision of the Charity Commissioners and carried out accordingly.

3147. (*Sir Richard Cross.*) Are you speaking of trust funds only, or trust and corporate funds?—Trust funds only, certainly. I merely referred to charities. Both Mr. Hare and Mr. Longley expressed their opinion that they had nothing to do with corporate property under the Charity Commission. I was merely alluding to the strictly charitable trusts which are committed to our care.

3148. (*Chairman.*) There are only two questions which I should just like to have an explanation upon. Are those funds which have been called trust funds derived from property, the whole income of which is expended on the trust purposes, or only a certain portion of which is expended, the increment going to you?—In most cases it is the whole income of a particular charity.

3149. You make the payment and take the difference?—In some, but in the latter case, where there has been a charge on the property for charitable purposes with the surplus given to the Company, we have redeemed, under the sanction of the Charity Commissioners, the charge, and the sums paid by us for the redemption of that charge are now invested in Consols or some other stock in the name of the official trustee of charities, and administered in that way; we have done that very largely for many years past now. Wherever we had a property charged by the will that devised it with a sum applicable to charity and subject thereto, the surplus given to ourselves, I think in almost every instance we have redeemed that charge under the sanction of the Charity Commissioners, and as approved by them.

3150. Then the statement that you do not take the five per cent. for managing these charities applies to all?—Yes, to all. We do not take it at all.

3151. As to this 20,000*l.*, you say the income goes to a dinner in commemoration of Mr. Thwaytes, and then for general corporate purposes, including other dinners, I suppose?—It goes into the exchequer of the

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Company generally, and is applied as I have before stated.

3152. It goes into the 14,000*l.*?—It would go into the 14,000*l.* or, rather, it goes into the 34,000*l.*, and so much of it as is applied in augmenting the pensions of the blind falls into the 20,000*l.*, and the rest of it falls into the 14,000*l.*

3153. (*Mr. James to Mr. Owen Roberts.*) I believe you were mainly instrumental in establishing the City and Guilds' Technical Institute?—I was concerned in establishing the Technical Institute as clerk of the Clothworkers' Company. The movement of technical education originally arose from the invitation of the Society of Arts instituting examinations in connection with the annual series of exhibitions at South Kensington, and when the turn of cloth manufacture came, the Clothworkers' Company first gave a prize of one hundred guineas for the encouragement of the examinations in connection with the cloth trade, and afterwards put themselves into communication with Colonel Donnelly and others on the subject of technological examinations and technical education generally, more especially in connexion with the cloth industry. They afterwards obtained a conference at Clothworkers' Hall consisting of the mayors of various corporate towns and Presidents of Chambers of Commerce of the towns in the west of England, Yorkshire, Glasgow, and other places where the textile industries are the staple industries of the district, and took their advice as to the best way of promoting a system of technical education in connection with the industries of the various localities. That matter has grown gradually, and now the Company have schools or classes, independently of the City and Guilds' of London Institute, in almost all the centres of the clothworking industry in Yorkshire and the West of England, they have also subsidised a technical weaving school in Glasgow.

3154. But the one central institute up to the present time has been in Finsbury, has it not?—I am speaking of the Clothworkers' Company's action in technical education. Then in 1876 the Clothworkers' Company took counsel with the Drapers' Company, who also had shown an interest in the question, and availing ourselves of the fact that at that time Lord Selborne was master of the Mercers' Company, a scheme was submitted to him, and he expressed his cordial approval of it, and through his intervention a combined movement of the guilds was then brought about for the establishment of technical education in a general sense, distinct from the cloth-working industry but including it.

3155. That is the movement which eventually proposes to establish the large central college at South Kensington, is it not?—That was one of the objects, but the great object of the central institution is not to teach the application of science and art to the ordinary workmen, the rank and file, and there always must be rank and file, but to teach the men who are picked out from among them as the leaders in intelligence, and whom we hope to make into efficient foremen or managers, and above all into efficient teachers, for trade schools throughout the kingdom. These men will come from every part of the kingdom, and will not be drawn from the industrial classes of London alone, or even to any great extent, and even the London men will in all probability be for the most part picked men supported by exhibitions, and not, while students of the Central Institution, engaged in journey work. We found when we established our dyeing school at Leeds that we could not in this country find a teacher, there was no technically qualified teacher of dyeing. We found the same difficulty wherever we founded schools. By the advice of Professor Huxley, and with the concurrence of scientific opinion, it was thought absolutely necessary before any movement of technical education could obtain a hold in the country that there should be a normal training school to supply technical teachers in the same way as the normal training schools at Battersea and elsewhere supply the elementary teachers and now the universities are recognising that teaching involves not only the possession of knowledge but is a profession, and like any other profession requires special preparation.

3156. What post does Mr. Magnus hold?—Mr. Magnus is the director and secretary of the Guilds' Institute.

3157. That is the institute in Finsbury?—He is director and secretary of the Institute as a whole. He holds also in connexion with it, temporarily, the function of director of studies in the Finsbury College. Probably he will also, when the institution at South Kensington comes into operation, assume some such position there; but that is not settled.

3158. And Mr. Magnus is also a member, I think, of the Commission upon Technical Education at the present time?—Yes, it was thought exceedingly desirable that he should obtain that experience (which conjoined with his opportunities as Director of the Guilds' Institute I suppose would make his qualifications in regard to technical education almost unique in this country) by going about with that Commission to various countries abroad. His experience will be most valuable, and it has been found so already.

3159. Can you tell me what contribution the Clothworkers' Company make to this movement?—We give 3,000*l.* a year; but we also have paid 10,000*l.* for the Building fund of the Central Institute, and of the Finsbury College; and we hope to establish, as time goes on, trade schools in various parts of London; also to supplement local effort wherever we find there is a tendency towards technical education.

3160. The effort to raise the money among the other Companies for this Institute was originated in the first instance by the exertions of the Clothworkers' Company, or to a great extent, was it not?—No doubt the Clothworkers' Company took a foremost part, but the Drapers', the Fishmongers', the Goldsmiths', and the Mercers' Companies also took part in it. I should not wish to claim more than our proper due in the matter. We found all our fellow-Guildsfolk equally anxious to enter into the movement as soon as they found that technical education was a matter that could be worked out adequately in practice. As soon as they found a proper scheme could be formulated, other companies showed themselves as anxious as we were to carry the matter out.

3161. (*Mr. Firth.*) Have you ever found the return which was presented by your Company and others to Parliament in 1724. A return was presented of various matters connected with the companies the year before the Act was passed under which you vote in common hall?—I am afraid not. I may have seen it referred to, and probably I have, but I have no special recollection of it.

3162. With respect to the vote, I may ask you this: you say you are entitled to vote in common hall; I think no one except the livery are entitled to vote in common hall at all, are they?—I think the theory that we hold is, that the livery is a property qualification, and the number of freemen entitled to vote is limited by the qualification that they must be of the superior order of citizens which is denoted by the fact that the livery represents a property qualification.

3163. I will just draw your attention to this point, and that is all I will ask you. The 14th section of the Act says "No person or persons whatsoever shall "be entitled to vote for the election of a mayor who "have not been on the livery twelve calender "months" therefore the election of the Lord Mayor rests alone with you, does it not?—I should prefer to say that it was a select body of freemen; that it is not *qua* liverymen they vote, but *qua* freemen, who are selected as a kind of superior order of citizens in the same way as under the restricted household franchise that existed before 1867 in parliamentary elections.

Adjourned.

OBSERVATIONS on the EVIDENCE given by the WITNESSES before the ROYAL COMMISSION appointed to inquire into the CITY OF LONDON LIVERY COMPANIES, especially so far as the same relates to, or affects, the CLOTHWORKERS' COMPANY.

Clothworkers' Company.

I. *As to the Foundation and Object of this, and the other City Companies, or Guilds, or Gilds.*

These are stated in the passage from the 2nd Report of the Commissioners under the Municipal Corporations Commission of 1834, which was drawn up by Sir Francis Palgrave (a high authority on such subjects), and which is quoted by Mr. Hare in his evidence before the present Commission. (Answer to Question 26.)

It appears from this passage that the companies were not trading, but trade, societies, and their object was:

(*a.*) To protect the consumer or the employer against the incompetency or fraud of the dealer or the artizan (as Mr. Froude, 'History of England,' vol. i., p. 42, speaking of cloth, says, "to ensure that the cloth put up for sale was true cloth of true texture and full weight"), and to secure a maintenance to the workman by preventing his being undersold in the labour market by an unlimited number of competitors.

(*b.*) To act as a domestic tribunal for the settlement by arbitration of disputes between man and man, thus diminishing hostile litigation, and promoting amity and goodwill.

(*c.*) To perform the functions of a Benefit Society, (and, it should be added, of a Burial Club), from which the workman, in return for his contributions, might be relieved in sickness, or infirmity, or old age, and have his burial expenses paid.

(*d.*) To serve as institutions, as in the nature of a modern club, in which individuals of the same class and their families assembled in social intercourse.

They had also a Religious element. They had a Patron Saint, who, in the case of the Clothworkers' Company and of their predecessors the Fullers and Shearmen, was the Virgin Mary. They attended religious services, and the funerals of deceased members. They had chaplains who performed obits (or obiits) and masses for the souls of the dead. They held chartered feasts and entertainments on specified days. They also took part in the pageants of the middle ages.

The statement made by Mr. Beal, in his pamphlet "The Relief of the Ratepayers' Burdens," that "guild was originally a name applied to the quarter of the town where men and women practising a particular trade lived," is incorrect. The name (see Herbert on the "Twelve Great Livery Companies," vol. i., pp. 1—3) is derived from the Saxon "*Gildan*," to pay, denoting an associated body or brotherhood, because every member was "Gildar," *i.e.*, to pay something towards the charge and support of such body.

Of the above-mentioned objects:

(*a.*) That for ensuring to the consumer or employer excellence in the wares by means of searches, and to the workmen protection from unlimited competition, has long fallen into disuse. Mr. J. R. Phillips (answer to Question 1385) puts the year 1688 as the date when what he calls the severance of the Guilds from the trades began, with the avowed object of treating as public property all the estates acquired by the companies previously to that time, those since acquired by them being, as he states, few in number. But there is no ground for assigning that date, and Mr. Froude, in his "History of England," vol. i., p. 50, describes the decay of this organisation for the maintenance of fair dealing as having taken place in the reign of Elizabeth. It is mentioned by Mr. Hare (answer to Question 27) that Queen Elizabeth sent to the Mercers' Company to know why silks were so dear, and marvelled much to learn that only one or two of the Company knew anything about silks at all. And it appears from the books of the Clothworkers' Company that of the five persons named as Master and Wardens in the Charter of Queen Elizabeth, A.D. 1560, one only was a Clothworker by trade. This Company went through the formality of appointing searchers up to the year 1754, when the practice was finally discontinued; but it had in fact been a mere form for upwards of 100 years previously, the legality of the rights of control over trade monopoly having come to be questioned. Indeed, in the case of the Clothworkers' Company (of Ipswich), (Godbolt, tit. 351, p. 254), which was decided soon after the death of Elizabeth, that is to say, in the twelfth year of King James I., such rights were held to be void, having been superseded by Statutes regarding trade passed in the reign of Queen Elizabeth. The cloth manufacture, moreover, had begun to leave the City of London for Norwich and Ipswich, and for the west and the north of England.

(*b.*) This object, viz., that of arbitration, has also for some time fallen into disuse, mainly for the reason that the Company had no means of enforcing their award. But, so recently as the year 1881, the Company were appealed to, by artizans in the Cloth manufacture in Yorkshire, to interfere to obtain from their employers the redress of an alleged grievance in a dispute between them and their employers. The Company, however, declined to do so, considering that they could not usefully intervene.

Objects (*c.*) That for providing for the assistance of sick and infirm and decayed and aged members, and for the expense of the burial of poor deceased members.

And (*d.*) That of providing for the social intercourse of the members (including, in the case of this Company, the poor Freemen and Freewomen who to the number of 200 or thereabouts are entertained in the Livery Hall on every St. Thomas's Eve, the 20th of December); have always been and are fulfilled by the Company.

II. *As to the legal position of this and the other Companies.*

It has been alleged on the part of the companies that they were Corporations by prescription, having the before-mentioned objects for centuries before they were incorporated by Royal Charter, and that, even if their Charters could be cancelled or avoided, they would retain their character of Corporations by Prescription, to which the legal processes of "Scire Facias" or "Quo Warranto" could not apply.

On the other hand, it is contended that the Companies lost their character of Corporations by Prescription, by accepting the Royal Charters.

But there certainly is authority for the proposition that a Corporation by Prescription, may continue as such, notwithstanding that it obtains a Charter from the Crown, in the incorporating part of which, words of creation only (such as "grant," &c.) are used, those words being capable of being taken, not as conveying a fresh grant, but as operating to confirm something previously enjoyed by the grantees. ("Grant on Corporations," pp. 32 and 33, and the cases there cited, including "The King against the Corporation of Stratford-upon-Avon," 14, East's 'Reports,' p. 348.)

However, it is denied that the Charters are liable to be revoked or avoided.

The grounds suggested for such liability are—

(*a.*) That they contain clauses, such as those giving the right of search, which were illegal in the first instance as being in restraint of trade, and contrary to public policy, and inconsistent with Magna Charta.

But one part of a Charter may be good and the other parts void or voidable. ("Grant on Corporations," pp. 40, 41, and the authorities there referred to, including "Sackville College Case;" T. Raymond's "Report," pp. 177–78; and "The East India Company against Evans and Others," I. Vernon's "Reports," pp. 305–8; and "Lord Mulgrave against Sir John Mounson," Freeman's (Chancery) "Report," p. 17), provided that the void or voidable clauses are independent clauses, and that the King was not deceived in the substance of his grant, which was not the case with regard to these Charters. Indeed, at the date of the later ones, it must have been well known to the Crown that the rights of control over trade had fallen into desuetude or were incapable of being exercised. Therefore, if the clauses conferring those rights were illegal, the incorporation and the other valid clauses would still remain in force.

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(*b*.) That the Companies having ceased to be connected with the trades (Mr. Beal says, "having ceased to trade;" but this expression is incorrect, the Companies never did trade, certainly the Clothworkers' Company, as a Corporation, never did), the purposes for which the Charters were granted have failed and the Charters have ended.

But the rights of control over the trades were not the only purposes for which the Charters were granted, and the disuse by the Companies of those rights could not put an end to the Charters. However, in addition to technical legal argument, which it is necessary for the Company in this and other instances to advance in reply to those of the like nature used against them in the evidence before the Commission, the Company rely in answer to these suggestions of the invalidity of the Charters, on the fact (as pointed out by the Earl of Derby in his questions 986–89) that the question has never been tested, though there has been every opportunity of testing it for an indefinite time past.

III. *As to the Charters of this Company.*

A volumn containing the Charters of this Company and the grants of lands and tenements made to them, including the Act of Parliament of 4 James I., accompanied the returns of the Company. Their first Charters are, that granted to the Fullers' by Edward IV., in the twentieth year of his reign, A.D. 1480, and that granted to the Shearmen by Henry VII., in the twenty-third year of his reign, A.D. 1507–8. These Corporations were united and reincorporated under the name of the Clothworkers' Company by Charter of Henry VIII., in the nineteenth year of his reign, A.D. 1527–8.

The Company's Licenses in Mortmain are contained in their Charters, which empower them and their successors, to hold lands and tenements, notwithstanding the statutes of Mortmain or any other statute or ordinance. Moreover, this and the other companies are exempted from the operation of the statutes of Mortmain as regards their lands and tenements in the City of London, devised to them by citizens resident in the City, and paying "scot and lot," by the custom of London. This custom is stated by Lord Chancellor Cottenham, in the case of "The Attorney-General against The Fishmongers' Company (Preston's Will)," 5 Mylne and Craig's "Report," p. 19, as follows:—"By the recognised custom of the City of London, citizens, though they could not convey lands in Mortmain, were entitled to devise them in Mortmain, and the corporations were entitled to accept the lands so devised, whatever might be their value.

IV. *As to the Constitution and Membership of the Company.*

The membership of the Company is, and has always been, acquired.

(1) By Apprenticeship (fee nominal).
(2) By Patrimony (fee nominal).
(3) By Purchase or "Redemption."

It is contended by Mr. Firth, M.P., in his work "Municipal London," p. 59, and also by the witnesses, Mr. Beal and Mr. Phillips, that in the creation of the companies membership, was restricted to the craftsmen. Even if this had been the case it would soon have ceased to have been so by the operation of patrimonial succession. But it is not the fact as regards the Clothworkers' Company and some other of the companies, *e.g.* the Haberdashers' and Merchant Taylors'. The Charters of the Clothworkers' Company provide in express terms for the inclusion in the Corporation of persons not belonging to the mystery, that is to say, of "the brothers and sisters of the Freemen of the mystery or art, and others who, of their devotion, shall have wished to belong to the Fraternity or Gild." Mr. Firth, in his work, p. 59, quotes in support of his aforesaid contention the words in the Clothworkers' Charter of 9 Charles I., which declare that "all persons, 'tam indigenæ quam alienigenæ,' who then used or should thereafter use the mystery of Fullers, Shearmen, or Clothworkers, within the City or suburbs, should be one body politic." But he omits to cite the subsequent clause in the same Charter, giving power to increase and augment the commonalty, and to receive, make, and constitute into it "whatsoever persons, as well natives or aliens ('tam indigenas quam alienigenas'), whom they shall be willing to receive into the same." There are, and always have been, Freewomen of this Company. The Livery of the Company are chosen by Ballot from out of those persons who possess the Freedom of the Company by the Court.

It is to be observed that, in fact, among the Freemen there are artizans practising businesses cognate to that of Clothworking, for instance, "packers" and "pressers."

V. *As to the Government of the Company.*

The governing body are, the Master, elected annually (generally speaking in rotation according to seniority) from the members of the Court of Assistants whohave not passed the chair (any one who declines to serve, paying a fine), and four Wardens, two of whom are elected every year out of the Livery (generally in rotation according to seniority, excepting any who are disqualified by bankruptcy or insolvency, or some other good cause; the Company considering this mode of election as the most fair and most beneficial in operation, obviating, as it does, canvassing, and the resort to any undue influence), and serving as Junior Wardens the first year, and as senior Wardens the second year (at the end of which they are taken on to the Court), and about thirty-five Assistants. The emoluments of the members of the Court are derived only from their fees for attending the Courts and the Committees. This mode of renumeration is objected to by Mr. Firth, and by some of the witnesses, but it is the one usually adopted by companies and public bodies, and it is preferable to a fixed salary, for the fees are not paid to those who are absent, or do not come in due time, and the members of Court, who are generally men actively engaged in professions or business, could not be expected to give up the best hours of the day without being remunerated (Mr. Gilbert, in answer to Question 1563, says he would not like to do so), and the amount of the fees (between £65 and £80 per annum), is a moderate compensation for the amount of time given and work done.

The Courts are held on the first Wednesday in every month (except September). They last for three hours at least, often longer. The ordinary course of transacting business is given for the information of the Commission. The Master and Wardens meet at 2 o'clock for the purpose of binding apprentices and admitting Freemen. At half-past 2 the general business of the Court begins.

1. The Acts and Orders of the last Court are read by the Clerk, and having been put from the chair and adopted, are signed by the Master. 2. The Court then considers various matters, not set out on the paper of Agenda, which are brought to its notice by the Clerk and the Master. 3. Next it considers Petitions for Casual Relief, and Funeral Allowances, to poor members and their widows. 4. Then it receives and discusses the Reports of the Standing Committees, "The Trusts," "The Estate," "Finance," and the Minutes of the Auditors. 5. Next come any special motions of which notice has been given. 6. Then applications for aid on behalf of various charitable and other institutions and bodies (any grant exceeding Twenty Guineas being made the subject of a notice of motion for a subsequent Court). 7. Next the Seal of the Company is affixed to any deeds or documents requiring it. 8. Then elections are made to any vacant posts, scholarships (boys and girls), exhibitions to the Universities and Colleges (including those for women)—the reports of the examiners being read and considered—almhouses, pensions, &c. &c. 9. General business.

The Court is composed of several clergymen, one or two barristers and solicitors, physicians, professors, architects, and men who are, or have been, engaged in business (including several who are, and whose families have for generations been, engaged in businesses, such as "calendarers" and "pressers," being subsidiary processes of the clothworking trade, and whose experience is very valuable), estate agents (whose practical knowledge is also very useful), and several gentlemen interested in science and art and antiquarian pursuits. By men so varying in professions and attainments, the different questions which arise at the courts are discussed with great ability and moderation. Decisions are taken by show of hands (except the elections, which are always by ballot). The members of the Court are mostly connected with the Company by patrimony. Some few were originally admitted by "Redemption," or "Apprenticeship." There is no political or party influence or bias. The constitution of the Court is regulated by the bye-laws last ratified by the judges in 1639.

The Company notices the charges brought, or suggested, against members of the Courts of the Companies by Mr. Firth, M.P., in his said work, and by some of the witnesses, that they vote themselves pensions, and make use of the charities or patronage for their

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own private benefit, and obtain leases of the estates at a low rental and relet them at a profit; only for the purpose of giving an emphatic denial to them. No Liveryman, or Member of the Court, can receive any pension or alms, without resigning his position and returning to that of a simple Freeman. With reference to the case of a former clerk of the Company mentioned by Mr. Phillips (answers to Questions 1283—1316), the account given by him of the irregularities of which that person was guilty is correct (indeed it is, as stated by him, taken from the book of Mr. Alsager, published in the year 1838 for the use of the Court), but from those irregularities, and the exposure of them by Mr. Alsager, who became Master in 1836–37, great and lasting benefit has resulted to the Company, by the thorough investigation of their affairs and accounts, both as regards their Corporate and Trust property, which were then placed on a proper footing, the permanency of which was secured by the institution of Standing Committees. That clerk (Mr. Phillips is incorrect in saying that he was dismissed; he died in January, 1837); was able to take advantage of the influence and knowledge possessed by him in consequence of the permanency of his office, which he had held for many years, while the Master and Wardens, who were then the only executive body, only held office for one year and two years respectively, and were not able to acquire during those periods a sufficient supervisory knowledge of the Company's affairs. This was remedied by the creation of Standing Committees, consisting of the most experienced Members of the Court (the chief of them being "The Trusts and General Superintendence Committee" and "The Estate Committee"), one half of the members of which, including the Chairman, are more or less permanent, the other half being elected annually (the Master for the time being is *ex officio* a member of all the committees, but does not act as chairman). By means of these committees, including especially the Chairmen and Master, and of the auditors, a constant and careful supervision is exercised over the clerk and the other officials, and over the affairs and accounts of the Company, which are now on the most excellent basis. The Master and Chairman of the Committees attend at the Hall generally twice a week at least, and a recurrence of any such improprieties is now rendered impossible.

VI. *As to the Property of the Company and the Administration of it.*

(1) The Corporate Estate.

(2) The Trust Estate.

(1) As to the corporate property, the Company maintain, in contradiction to the witnesses (Messrs. Hare, Beal, and Phillips in particular),

That it is not public property (so far as by that is meant property to or in which the general public or any section of the public outside of the members of the corporate body has any right or interest), and

That it is not subject to any trust, charitable or otherwise, but

That it is the absolute property in law of the Company.

In support of these propositions the Company rely

On the cases of "The Attorney-General against the Corporation of Carmarthen," Cooper, p. 30, and "The Mayor of Colchester *v.* Lowten," 1, Vesey and Beames, p. 226, mentioned by Mr. Longley in answer to Question 350, in which cases it was held that every civil corporation (and not merely a municipal corporation) had full power at law to alienate its property, and the Court of Chancery had no jurisdiction to restrain such alienation.

On the case of "Dale *v.* Brown," referred to by Sir R. Cross in Question 976, and reported (though more shortly) in the "Law Reports of Chancery Division," p. 78, where it was decided by the Master of the Rolls, Sir George Jessell, that the existing members of the Company, Society, or Fellowship of the Fullers and Dyers of Newcastle were entitled to sell their property and divide the proceeds among them, to the exclusion of any inchoate or future right or expectation of membership.

On the statement of the present Lord Chancellor, in answer to Question 1684, that in point of law the companies are, in his opinion, absolutely entitled to their property, and under no trust whatever; and the other subsequent statements by his lordship to the like effect.

On that of Mr. Hare, who, in answer to the Question (244) whether "he would consider when a company was empowered to purchase land contrary to the Statutes of Mortmain, and did so purchase it, being at that time any active trade organization, that that ought not to be available for the trade?" says, "No; it has been taken by the company and held by the company during a long period, by which a title would be gained by prescription;" and the reply of Mr. Longley to Question 330, on the admission by the same witnesses that the corporate property is not subject to any charitable use or trust.

On the precedents, in addition to that of the beforementioned case of the Fullers and Dyers of Newcastle, established by the division by the Doctors of Doctors' Commons and the Serjeants-at-Law of their property amongst themselves; the case of Serjeant's Inn Mr. Phillips indeed attempted to distinguish from that of the Livery Companies, on the ground that they were not incorporated; but Lord Selborne, in his speech in the House of Lords, quoted by Mr. Phillips in answer to Question 1284, refused to accept incorporation as any test as to whether a body is public or private, and reiterates this in his reply to Lord Coleridge's Question (1686), while in his reply to Question 1680 he repudiates the inference drawn by Mr. Phillips from his said speech, that his lordship thought the Inns of Court (which he did consider a public body) and the companies are *in pari conditione*, saying that he does not think so at all.

Moreover and especially, the Company rely on the fact that they have for centuries leased, sold, and otherwise dealt with their corporate property without any interference. An instance of a sale occurs in their records as early as the year 1550, at which time they sold land at Greenwich belonging to them, as well as property in Queenhithe.

They have also frequently made sales under the compulsory powers of acts of Parliament with the cognizance of the Court of Chancery, and their title has been laid before the most eminent conveyancers, including the Conveyancing Counsel of the Court, and approved by them, and the proceeds of such sales have been handed over to the Company without obligation of reinvestment.

In 1871 they sold their Irish estate.

Their corporate property in England was acquired by devises, made in very many instances after they had ceased to exercise the rights of control over trade, and in almost every case by members of the Company, who were well acquainted with the mode in which they dealt with their property, and by purchases made out of their own internal revenue and income, and as regards the large portion of their property known as the "Obit" or "Chauntry" lands, comprised in the Letters Patent of 4th Edward VI, A.D. 1550 (including their Hall) and those comprised in the Letters Patent of 17th James I., by purchase from the Crown of the charges existing thereon, and to these "Obit" or "Chauntry" lands they have a Parliamentary title under the Act of Parliament of 4 James I, A.D. 1606–7.

The following entry occurs in the books of this Company. *Vide Court 13th April*, 1607.

Towchinge the bill in the pliam^{t}. house for cleeringe the landes in question of concealement.

"This daie also S^{r} Henry Monntague,
" Recorder of the Cittie of London came
" & declared to this Company that there
" is a Byll p̃ferred to the Parlyament howse
" touchinge th'assurance of the landes
" & tenements belonginge to the severall
" Companyes of this Cittie, certen rents
" yssuinge out of w^{ch} said landes and tene-
" ments lymited to supersticious uses were purchased by
" the said sev^{r}all Companyes of Kynge Edward the sixte
" in the fourthe yeare of his raigne. The iudges &
" greatest Lawyers of this land then beinge of opinion
" that onely the rents ymployed or lymitted to sup-
" sticious uses were the Kynges. But not the landes
" whereout those rents were yssuinge yet in these tymes
" the very landes have bynne & yet are in question.
" And certen patentees in the tyme of the late Queene
" have gonne about, and yet doe, to entitle the said late
" Queene and the Kynges Ma^{tie} that now is to the said
" lands and tenements (onely for theyr private gayne)
" as landes concealed from the Crowne, not caringe to
" bereave a nomber of poore people in this Citty &
" elsewhere in the Kyngdome of theyr beste and
" cheifest reliefe & mayntenance & by means of those
" patentees have drawen from the said sev^{r}all Com-
" panyes many greate somes of money for composicon
" wth the said patentees for the said landes. The rents
" whereof the Companyes had formerly purchased of
" the said late Kynge Edward the sixte. And so the
" saide Companyes havinge payed fyrst to the Kynge
" & after compounded wth the said Patentees for
" the saide rents and landes sev^{r}ally for all the money
" they have departed with have at this pnte (of as-
" surance) neither rents nor landes. And thereuppon

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“ the said S^{r} Henry Mountague shewed vnto the Company
“ how beneficiall the passinge of that byll in
“ Parliament might be in generall to the whole Cittie
“ & in p̃ticular to every private Company. And did
“ advise that soe good meanes of peace and quiet for the
“ establishinge of theyr landes to them and theyr successors
“ in succeedinge tymes was not to be reiected
“ but to be embraced. And wth all desired to know the
“ purpose & determinacon of this Company whether
“ they wolde ioyne wth the reste of the Companyes &
“ contribute to the chardge of passinge the said byll or
“ desiste and stand vppon theyr owne defence. Whereunto
“ it was answered that this Company althoughe
“ they knew theyr̃ landes to be as cleare and free from
“ question as any other Company in London yet in
“ respecte of the generall good w^{ch} (as is declared) by
“ possibilitie may come to the whole Cittie and to the
“ Companyes in pticuler they will not leave theyr
“ bretheren but ioyne wth them in psequucon of the said
“ Byll & in contribucon to the chardges thereof after
“ a reasonable rate accordinge to the proporcon of the
“ dannger they stand in case of concealement or purchase
“ of rents lymited to supsticious vses.”

Lord Chancellor Cottenham, speaking of the Letters Patent of 4th Edward VI and the Act of 4th James I, says in the case of the "Attorney-General *v.* the Fishmongers' Company" (Kneseworth's Will) 5 Mylne and Craig's 'Report,' p. 16, "The result is that the Company, by means of the Letters Patent and the Act, obtained all the title which the Act 1 Edward VI" (for vesting in the Crown lands, &c., held for superstitious uses) "would have given to the Crown," and again, in the "Attorney-General *v.* the same Company" (Preston's Will) 5, Mylne and Craig, p. 24, "It was immaterial whether the Crown actually seised the land itself or only the rents, the Letters Patent of 4 Edward VI, and the Act 4 James I, having had the effect of giving to the Company all that the Act of 1 Edward VI, gave to the King," and (at p. 18) "To dispose of rights or property upon any evidence, however apparently clear, against a title and course of dealing of 400 years, would be full of danger, and no judge, not destitute of that degree of prudence and discretion which is essential to the administration of all system and law, but particularly to that of equity, would feel justified in doing so, if any reasonable suggestion could be made reconciling the history of transactions long since past away with the enjoyment of the property;" and he marked his sense of the impropriety of the institution of the information in that case by ordering the relators to pay the costs. In connection with this subject reference may be made to the case of "Pele's Will," in the year 1602, in the King's Bench, Duke 95, 4 Coke 113, "Duke's Charitable Uses," p. 469, in which the Crown claimed certain houses in London, devised by one Peel, *alias* Pele, to the Clothworkers' Company, to the intent that they for ever should pay to such priest as should pray for his soul in the Parish Church of Chilham, £9 6*s.* 8*d.* for his salary, adjudged that "the King will not have the houses, for they were not given to find a priest but to pay a priest a certain sum."

The Act of 2 William and Mary, referred to by Mr. Beal (answers to Questions 830–31), restored and confirmed to this, and the other companies, all the lands, &c., "which they lawfully had, or had lawful right, title, or interest of, in or to," at the time of the judgment in Quo Warranto in the 35th year of King Charles II. Mr. Beal lays stress on the word "lawfully" (which he erroneously states to be placed within inverted commas in the Act, but this is not so in the King's printers' copies of the Statute), his suggestion being that, as the companies had no lawful title to their estates at the time of the Quo Warranto, the Act gave them none. But for the reasons before stated, the Company had undoubtedly a lawful title to their estates at that time, and the Act gave a further Parliamentary sanction to such title.

It is necessary to mention one particular ground on which the allegation by the witnesses that the corporate property is "public" or municipal is attempted to be supported, viz. that the Companies form an integral part of the Corporation of London, and are in fact themselves municipal corporations, because—

(*a.*) No person could be a Freeman of the City who was not a Freeman of one of the Companies.

(*b.*) The Liverymen elect the Lord Mayor and the other great Officers of the Corporation in Common Hall, and vote for the election of Members of Parliament for the City.

(*c.*) The Corporation exercises control over the Companies and their property.

(*a.*) Since 1835 it is not true that no one can be free of the City who is not free of one of the Companies. It is true that the freedom of the Companies carries with it an inchoate right to the freedom of the City, but it is not obligatory on freemen of the Companies to take out the freedom of the City. By Act of Common Council, passed the 9th of March, 1836, it was enacted that the apprentices of such of the freemen of the City as are not free of any society, guild, fraternity, or company of the City, shall, being bound before the Chamberlain of the City, according to the forms of the indenture of apprenticeship for apprentices of the City and duly enrolled, according to the custom of the City, at the expiration of the apprenticeship, be admitted to the freedom of the City.

(*b.*) It is true that the Liverymen are entitled to vote for the Lord Mayor, the Sheriffs of London and Middlesex, the Chamberlain, Aleconners, the Bridgemasters, and the Auditors of the Bridge House accounts. (Under 11 George 1st, c. 18, § 1.) But they do not elect the Aldermen, the Common Councilmen, or the Town Clerk and other Municipal Officers (being precisely the officers whom, if they had formed part of the municipality, they would have been entitled to elect). They are also entitled to vote for Members of Parliament for the City, but the franchise is restricted to such of them as are free of the City, and have been so for one year, and reside within 25 miles of it, and have paid their Livery fines, and have not received back such fines in part or all, or had any allowance in respect thereof, or within two years before have requested to be, and have been, discharged from paying taxes, or within that time received alms (Pulling's "Laws of London," p. 83 *et seq.*). This franchise is properly referable to the property qualification possessed by the Liverymen by their being interested in property within the City (which is a county of itself) in their own corporate right, and is analogous to the 40*s.* freehold franchise in counties. For the City of London is a county of itself, and therefore has its Sheriffs, its Lieutenants, its County Court or hustings, and other institutions similar to those in other counties (Pulling, p. 16 *a*). The Lord Mayor derives the office of Lieutenant or Viceroy from the Crown, and he has all the powers of a Lord Lieutenant within his county (Pulling, p. 19). The officers for whose election the Liverymen vote are likewise county officers, just as the freeholders of a county still elect the "Coroner." Some of the companies have no Livery.

(*c.*) It may be true that the Court of Aldermen, as Magistrates, did claim to exercise some sort of irregular control over the Companies. For instance, by an order of the Court of Aldermen, dated the 27th July, 1697, it was directed that "no person should for the future be called to take upon himself the livery of any of the twelve higher companies, who was not possessed of an estate of £1000, or of those of the inferior companies unless he was possessed of an estate of £500." But, in the case of the "Vintners' Company *versus* Pafrey," 1 Burr, 235, this order was pleaded and was demurred to, and was afterwards given up on the ground that it was not known what authority the Lord Mayor and Aldermen had to make the order. It may be true likewise that when in the times of irregular taxation and exaction of money by the Crown (*e.g.* "ship money") the Sovereign made a requisition on the City for money, the Lord Mayor sent a precept to the Companies to furnish their quota. But the Crown often made a requisition, not through the Corporation, but directly, on particular Companies, to furnish money. Herbert mentions many instances of this having been done by Queen Elizabeth and other sovereigns.

But it is admitted by Mr. Beal and Mr. Phillips, there is no known instance of interference on the part of the Court of Aldermen with the property of the Companies during the last 200 years. Mr. Beal, indeed, was by Question 824 asked by Mr. Firth, M.P., "Have you read the decision in the case of the refractory Companies in 1775, when between the Corporation and the Goldsmiths' Company the question was contested?" and replied "Yes." He was then asked, "What was the effect of that decision?" to which he answered, "The Companies were found to be in the wrong, and that they were an integral part of the Corporation, and it is fully set out in your own book, 'Municipal London.'" This is a serious misstatement of the fact. The passage referred to is in "Municipal London," p. 43, where it is stated by Mr. Firth that although the Common Hall is now only called together for election purposes, there appears but little doubt but that it might be convened for other

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purposes, and in the note (*) he adds :—"This would seem to have been finally settled in the case of the trial of the refractory Companies in 1773, when the Warden of the Goldsmiths' Company was successfully prosecuted in the Mayor's Court for inattention to a summons to Common Hall on other than election business" (*vide* report of this case "Lawyer's Magazine," July, 1773). It is true that such a decision was obtained in the Mayor's Court on the 14th July, 1773, in proceedings by the Common Sergeant of the City of London, plaintiff, and Samuel Plumbe, Esq., Prime Warden or Master of the Company of Goldsmiths, defendant (it is also reported in the "Annual Register," vol. 16, p. 188–191), but Mr. Beal and Mr. Firth ought to have known that this decision was not "final," but was reversed on appeal in the year 1775. This appears in Herbert's well-known book on the twelve great Companies (p. 55, note), where he says :—"Ever since Alderman Plumber's [Plumbe's] case in 1775, who was Master of the Goldsmiths' Company, and refused to attend a Common Hall on the precept of the Lord Mayor (Beckford) to present to the Crown a petition for redress of grievances (and which refusal was sanctioned by the Court of King's Bench), several of them have uniformly declined to attend Common Halls unless for election purposes." The Lord Chief Justice de Grey is reported as having stated in his judgment on the appeal. "Thus far we know that the constitution of the City of London does not contain these Companies." In fact, the constitution of the City consists of three distinct branches, viz. the Lord Mayor, the Court of Aldermen, and the Court of Common Council, which have been compared to the three branches of the British Constitution ("Pulling's Laws of London," p. 16, *a*), and in the Chamberlain of London's case, Leonard, parts 3 and 4, p. 264, it was laid down by Fleetwood (Justice) that "The custom of the City is that the Mayor and Aldermen, and four persons chosen out of each Ward by the Commonalty, may make ordinances which they call Acts of Common Council, and they shall bind every citizen and freeman," and that the Companies do not form part of the constitution of the City, though they are no doubt intimately connected with it, appears from the notable fact mentioned in "Hume's History of England" (vol. viii, p. 308), that the Convention summoned after the final flight of James II, was composed of all the members who had sat in the House of Commons during any Parliament of Charles II, and to them were added the Mayor, Aldermen, and fifty of the Common Council, which was regarded as the most proper representative of the people that could be summoned.

As is mentioned by Mr. Beal (answers to Questions 701–4), at the time of the passing of the Municipal Corporations Act, 1835, the Companies were unanimously advised by high legal authorities (Lord Abinger (then Sir James Scarlett), Sir William (then Mr. W. W.) Follett, and Mr. W. R. Rennall) that they were not municipal corporations, and it is difficult to understand how they could be so, as they are not a city or a borough.

It is right particularly to refer to the argument put forward by Lord Coleridge (in Questions 350 and the following ones) that the Charters of themselves constitute a trust. His Lordship asks Mr. Longley (Question 350) whether it has ever been decided that the Charters constitute no trust. Mr. Longley refers to the "Attorney-General *v.* The Corporation of Carmarthen," and the "Mayor of Colchester *v.* Lowten." His Lordship says (No. 351): "That does not quite answer my question; those are municipal corporations. I am supposing the case of a corporation created by Charter for a particular purpose not invested with municipal authority or a municipal corporation, but a corporation with a special object, has it ever been decided that the Charter so creating them and pointing out to them that object, creates no trust?" Mr. Longley replies that he is not aware of any authority on the point. It is submitted the more proper form of question would have been "Has it ever been decided that the Charters constitute a Trust?" to which the answer must be in the negative, the absence of any such decision affording the strongest inference against the existence of any such trust. But taking the question as Lord Coleridge put it, it is answered by the present Lord Chancellor, Lord Selborne, who, in his before-mentioned reply to Question 1684, states that they, the Companies, are, in his opinion, absolutely entitled to their property, and under no trust whatever, and in his answer to Question 1699, speaking with regard to the Charters of the Mercers' Company, says that any general trust upon those Charters for charitable purposes he is quite satisfied does not exist, and to Question 1700, with regard to the particular Charter of the Mercers' Company, 17 Richard II, the form of which has generally been supposed to be most open to the construction of creating a trust, says that that was not an incorporation for charitable purposes.

This Company desire to refer to these authoritative statements of the Lord Chancellor which are at least equally applicable to their Charters, not one of which contains any expression capable of creating such a trust.

Mr. Phillips, in answer to Question 1386, says that he does not know that the question has been raised before the Courts whether the corporate property of the Guilds is trust property or not. However, as regards the Clothworkers' Company, the question was recently raised before Mr. Justice Fry by the Metropolitan Board of Works, who opposed the application of the Company for payment out of Court to them of money paid in respect of part of their corporate property at Islington, taken by the Board under their compulsory powers, on the ground that it was trust property. That opposition was over-ruled by his Lordship, who ordered the money to be paid to the Company as being absolutely entitled. But while claiming to be absolutely entitled at law to their corporate property, and even to have the right, with the assent of the existing members, to divide it, the Company admit the moral responsibility resting on them in common with all other landowners in respect of it, and are willing to recognise a special responsibility similar to that rightly imputed to the great feudally descended landowners, especially those taking their root of title from Church lands.

As to the administration of the corporate property of the Company:

Yearly sums amounting to nearly two thirds of the income of the Company are expended—

In disbursements supplemental to Charity Trusts (eleemosynary, educational, or otherwise).

Annuities and Aids to Decayed Liverymen, Widows, &c.

Donations and Subscriptions voted at Courts.

Schools.

Exhibitions and Scholarships.

Technical and General Education (on which up to 1880, the date to which their returns are made up, the Company had expended £90,000, and have since expended much more).

Higher Education of Women.

No charge is made against the Trusts for administration, office, or estate expenses, which are paid out of the corporate income. And as part of their provision for technical education they have completely finished, at a cost of £15,000 and an annual subsidy of £1250 and upwards, their own Textile and Dyeing Department of the Yorkshire College, at Leeds (the only portion yet built), where the actual processes of weaving, both by hand and by power loom, and dyeing and other processes connected with the cloth manufactory are taught, not only scientifically by lectures, but by practical manual instruction and work, and they have lately given £500 towards the establishment of a scholarship in commemoration of the late President of the College, Lord Frederick Cavendish, who was a member of the Company.

They have given £3,000 to the Building fund, and £300 per annum to the maintenance fund, of the Technical School at Bradford, which was opened by the Prince and Princess of Wales last year. They have made large subscriptions for the establishment and maintenance of similar schools at Huddersfield and Keighley. They have founded lectures in connection with technical education at Bristol, Stroud, and the seats of the Cloth industry in the west, and also at Glasgow; and they subscribe a yearly sum for the working artizans in the cloth trade at Batley, in Yorkshire, on condition of an adequate local subscription, and they are now going to submit proposals to the Dewsbury Chamber of Commerce for extending and improving the facilities for Technical Instruction in that town.

They also, as is mentioned by Lord Selborne (answer to Question 1682), in the year 1873, took part in the initiation of the City and Guilds Technical Institute, to which they make large subscriptions; they also have encouraged excellence of workmanship in cloth manufacture and dyeing, by giving medals in connection with the recent Exhibitions at the Crystal Palace and Bradford.

As regards general education, they have established a scheme for making grants in aid of the education of poor members, whether freemen or liverymen, mainly based on competitive examination, subject to the attainment of a high standard, and have established Exhibitions at

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the North London Collegiate and Camden Schools for Girls, to which a wing, called "Clothworkers' Hall," has been added, the Company paying more than half the expense (£3100) out of their corporate income, the rest from funds applied under Sec. 30 of the Endowed Schools Act, 1869; cf. also P. Christian's (Isle of Man) School.

They have also given large donations and yearly subscriptions to Girton College, Newnham Hall, and Somerville Hall, Oxford, for the higher education of women, where there are open Exhibitions of considerable value.

The Company wish specially to refer to the Thwaytes' Bequest, which is frequently mentioned by the witnesses. Mr. Thwaytes, by his will, dated 24th of March, 1831, left £20,000 to the Company to provide pensions of £10 for the blind, which sum (after deducting Legacy Duty) is now invested in the sum of £19,591 16s. 9d. stock, standing in the name of the Official Trustee of Charities, producing the income of £587 15s., whereas the Company maintain 100 pensioners at £10 per annum (in the whole £1000), charging the deficiency to their corporate income.

Mr. Thwaytes likewise left "other £20,000 to be laid out in the way that may tend to make the said Society comfortable."

The Company hold one of their Livery dinners in commemoration of Mr. Thwaytes, and the balance of the fund is applied for the general purposes of the Company, including the supplemental pensions to the blind above mentioned. The remains of this and the other dinners are distributed to the poor alms-people.

(2.) As to the Company's Trust Estate.

In many instances the Trust Charity property consisted of rent-charges issuing out of the corporate estate of the Company. These the Company, in the case of Lute's Charity and a great many other charities specified in the Table of charities set out in the Company's returns, have redeemed, with the sanction and under the orders of the Charity Commissioners, made in pursuance of sections 23 and 25 of the Charitable Trusts Act, 1853, by which the Commissioners are empowered conclusively to sanction compromises of claims on behalf of charity and Redemption of Rent charges by the payment of sums of stock into the name of the Official trustee of charitable Funds.

This explains the discrepancy between former returns and reports and the present returns of the Company, the amount of the charitable trust personal estate of the Company being increased, and that of the real estate being diminished by such redemptions. It is suggested by Mr. Beal that it was very well to redeem the rent-charges, but that it did not follow that the surplus rents of the properties on which they were charged do not belong to the Charities. It is a sufficient answer to this that the Charity Commissioners, who necessarily had the titles to those properties laid before them, would not have sanctioned the redemption if they had considered that the whole of the property belonged to the Charity, but would have applied to the Attorney-General to take proceedings to enforce the right of the Charity. The question as to whether under devises or gifts a specific or definite portion only of the rents of property is given to charity, and the surplus belongs to the Company, so that the Company and not the Charity is entitled to the benefit of the increase in value of the property, or whether the whole of the rents, or of the surplus of them, after answering charges, are devoted to charity, is one depending on the construction of the particular instrument, and has given rise to much litigation. But out of 100 cases about 80 (see Question 919) have been decided in favour of the Companies, and only about 20 in favour of the Attorney-General. Many of these cases are not reported in the Law Reports, but it is believed that the Charity Commissioners have a record of them.

The cases in which the Attorney-General succeeded include those referred to by Mr. Beal of The Attorney-General *v.* The Wax Chandlers' Company, "Law Reports and Equity," 452, 5 Chancery, 503, 6 House of Lords Cases, 1 (which could not have been so clear a case as Mr. Beal represents, since Lord Romilly and Lord Hatherley both decided in favour of the Charity; and Lord Hatherley again refers to it as presenting features of difficulty in Kendal's case), and the case of the Merchant Taylors' Company *v.* The Attorney-General, 6 Chancery, 512 (Kendal's case), and the Attorney-General *v.* The Drapers' Company, 4 Beavan, 17.

The cases in which the Attorney-General has failed include those of

The Attorney-General *v.* The Haberdashers' Company, 4 Brown, Chancery Cases, pp. 101—103.

The Attorney-General *v.* The Mayor of Bristol, 2 Jacob and Walker, 295.

The Mayor South Molton *v.* The Attorney-General, 5 House of Lords Cases, 1.

The Attorney-General *v.* The Skinners' Company, 2 Russell, 417.

The Attorney-General *v.* Smithies, 2 Russell and Mylne, 717.

The Attorney-General *v.* The Cordwainers' Company, 3 Mylne and Keen, 534.

The two cases of The Attorney-General *v.* the Fishmongers' Company (Kneseworth's Will) and Preston's Will, 5 Mylne and Craig, 11—16.

The Attorney-General *v.* the Grocers' Company (Laxton's case), 6 Beavan, 526.

The Attorney-General *v.* Brazenose College, 2 Clark and Finneley, 295.

Many of the Clothworkers' Charitable Trusts are administered under schemes of the Court of Chancery, the Endowed Schools Act, 1869, and of the Charity Commissioners obtained at the instance of the Company, for example, (amongst others), Burnell's and other benefactions, Hitchin's Charity, Hobby's Charity, Lute and Midlemore's Charity, and all the funds constituting the Company's Trust Personal Estate (which is particularised in the Company's returns) are placed in the name of the Official Trustee of Charities. These facts show that the reluctance imputed by Mr. Hare and Mr. Longley to the companies to resorting to the Charity Commissioners does not exist on the part of the Clothworkers' Company; on the contrary, they have been anxious to avail themselves as largely as possible of the assistance of the Commissioners. Lambe's Islington Charity is administered under a private Act of Parliament (Lambe's Chapel and Estate Act), passed with the co-operation of the Charity Commissioners. As before mentioned the Company defray out of their corporate income the expenses of the administration of the Charitable Trusts, and they do not even accept the 5 per cent. for rent collection as receivers allowed by the Court of Chancery and the Charity Commissioners, and they also largely supplement the charitable gifts out of their corporate income.

The Company desire specially to mention the case of Middlemore's Charity, as that is referred to by Mr. Lucraft in his evidence. Samuel Middlemore by his will dated 24th October, 1628, bequeathed the sum of £800 to the Company upon trust to purchase lands to the yearly value of £40 which was to be applied in clothing for the poor. The Company endeavoured to procure such a purchase, but did not succeed in doing so in consequence of the difficulty of finding land to produce such an income, and of the further difficulty interposed under the Statutes of Mortmain, there being at that time mesne lords whose rights could not be defeated by the Crown's Licence to hold land in Mortmain. They therefore retained the money, paying out of their corporate income the yearly sum of £40 being the interest on it at 5 per cent. which they gradually increased to £70 and £80. By the decree of the Court of Chancery made in a suit commenced in 1833, it was ordered that this Charity and that of John Middlemore (the son of Samuel) who bequeathed £100 for similar purposes, should constitute thereafter a charge of £45 per annum upon the Company. Recently, under order of the Charity Commissioners dated the 16th November, 1877, the Company transferred the sum of £1500 Consols into the name of the Official Trustee of Charities in satisfaction of this charge of £45. This stock has recently been sold out and reinvested in the purchase of Ground Rents at West Hackney amounting to £62 per annum (with large increase in Reversion). These charities, together with Lute's Charity, are administered under a scheme dated January, 1878, framed by the said Commissioners, in co-operation with the Company.

VII. *Reform.*

The Company reserve and claim the benefit of the protest contained in Part V. of their Returns. But, irrespective of that protest, they would not consider it to be their duty to offer suggestions on this head. They would refuse to enter into a discussion of the schemes (which, as suggested by Lord Sherbrooke, are of doubtful public utility) for the appropriation of the property of the Companies propounded by Messrs. Hare, Beal, and Phillips.

They would decline to anticipate that the Commissioners would recommend to the Legislature, or that the Legislature would sanction a measure for depriving the

Clothworkers' Company.

Companies of their property, as proposed by the two latter gentlemen. Such a measure would, in their view, be an act of confiscation which would shake the rights of property of every description, certainly the rights of the owners of property derived under grants of Church property, or of the possessions of the dissolved monasteries, or would they contemplate the possibility of any measure for taking away from the Companies the control over their estates.

But any suggestions made by the Commissioners themselves would meet with the respectful consideration of the Court of this Company. They, however, point out that the purposes to which the corporate income is now applied, general education (lower and higher), technical education, support of hospitals, dispensaries, and other charitable and benevolent and scientific institutions, are the very objects the adoption of which is advocated by the more moderate of the witnesses. The Company would not think that it would be for the public benefit that they should be subjected by the Legislature to any hard or fast rules of administration.

To two suggestions which have been made they would readily assent, viz.:

One, which regards their Corporate property, that it, in common with all other property held in Mortmain in the Kingdom, should be subjected to succession duty at intervals of thirty years or thereabouts, corresponding to a generation or an annual tax in substitution thereof.

The other, which regards their Charitable Trust Estate, that increased power should be given over charities to the Charity Commissioners on the lines laid down by Mr. Longley in the course of his evidence, subject to minor differences.

CLOTHWORKERS' COMPANY.—FURTHER OBSERVATIONS AND SUGGESTIONS.

Trade.

The Clothworkers' Company has never spent other than a trifling proportion of its Revenues on any trade purposes, even in the time when the trade organisation was in a more or less vigorous activity. And little or nothing was ever left or given for purposes connected with trade otherwise than as express charitable Trusts, *i.e.* Loans and Apprentice Fees. Moreover, such expenses out of the Corporate Funds as may be said to have been connected with the trade were mainly petty disbursements on account of searches for bad workmanship, including often the cost of a dinner at a tavern or the Hall after the day's inspection. The decay of the Companies' connection with their Trades is well explained and illustrated by the well known passage from Froude's "History of England," vol. i, pp. 50–62—previously referred to.

Any scheme for resuming or constituting a direct connection with trades is impracticable, as it would result in favouring some trades to the exclusion of others, and especially must leave out of its scope the great Coal, and Iron, and Textile Manufacturing Industries of the country. Such a scheme would also be quite irreconcilable with the present industrial organisation of the country, but in expending a considerable and increasing proportion of its income in Technical Instruction as connected with "Clothworking" and the Textile Industries, and also (through the medium of the City and Guilds of London Institute for the Advancement of Technical Education) with the commercial and manufacturing interests of the metropolis and the country generally, the Clothworkers' Company of the present day conceives that it is acting in a spirit *cy-près* to that of its ancestors, who were more closely connected with the Trade from which the Company took its designation.

Entertainments.

The following Feast Days seem to have been observed at Clothworkers' Hall from ancient times:

Feast of our Lady, 25 March.
Feast of St John the Baptist, 24 June.
"Election Day," St. Peter ad Vincula } Venison
Confirmation Day (August) } Feasts.
Feast of St. Michael, 29 September.
Lord Mayor's Day, 9 November.
St. Thomas's Eve }
and }
Christmas. }

Among special entertainments may be mentioned that given in the time of the Commonwealth to Lord General Monk, his friends, and Field Officers on 13th March, 1659, which cost about £200.

A great deal of Plate has been given to the Company by Members, but in 1643 much was sold, as has been stated in the Returns, and *vide Court, 7th September,* 1643.—"This day also this "Court takinge into their "sad and serious considerac̃ons the many greate pres-"singe and vgent occasions w^{ch} they have for money "as well for the paym^{t} of their debts as otherwise. "And consideringe the danger this Citty is in by "reason of the greate distrac̃ons and civill warrs of "this Kingdome Have thought fitt and so ordered "that y^{e} Stock of Plate w^{ch} this Company hath shall "be forthwth sold at the best rate that will be given for "y^{e} same And to this end it is ordered, and Tho^{s} "Austin Esquior and Mr. Ralph Hough are hereby "requested wth the p^{r}sent Wardens or any two of them "whereof Mr. Warden Hutchins to be one, to take the "said plate upon accompt by Indenture from Mr. Phil-"pott the late Quarter Warden in whose possession the "said Plate is and to expose the same at the best rate "(except only such pticuler p̃cells thereof as in their "discretions shall seeme meete to be reserved for the "necessary use of this Company) and that before the "same be sold they cause a p̃ticuler to be made in "wrytinge p̃ticulerly of all the said p̃cells of Plate so "to be sold, *wth the fashion the weight and the severall* "*Donors names To the end that the same may be repayred* "*and made good in statu quo when God shall enable* "*this Company so to doe. The w^{ch} this Court doth* "*commend to posterity as an Act which they earnestly* "*desire may be don* And whereas this Company vpon "their Cōmon Seale oweth to the said Mr. Hough £300 "more wth interest And it is further ordered and "agreed that Mr. Robert Hutchins the p̃nte Quarter "Warden shall receave the moneys for w^{ch} the said "Plate shall be sold and shall thereout pay vnto the "said Mr. Austen and Mr. Hough their said severall "debts of Three hundred Pounds a peece wth such in-"terest money as shall appeare to be due to them for "the same and thereupon to take up the sev^{r}all obli-"gac̃ons given vnto them by this Company vnder their "Cōmon Seale for y^{e} payment thereof And the re-"maynder of the said money together with remaynder "of the Plate which shall not be sold to keepe and "deteyne in his hands for the use of this Company or "otherwise to be accomptable for y^{e} same.

"*Court,* 11*th September,* 1643.—This day also this "Court was informed by Mr. Hough the p̃^{r}sent M^{r}. and "by Thomas Austen Esquior that in pursuance of an "Order of the 7th of this moneth. They wth the ass^{ce} of "Wardens of this Company had made sale of 2068 oz. "Plate p̃cell of the plate belonginge to this Company "viz^{t} 1159 oz. of guilt at 5*s.* 2*d.* p̃ oz. w^{ch} came to "£299 8. 2*d.* and 242 oz. pcell guilt at 4*s.* 11*d.* w^{ch} came "to £59 9. 8. and 667 oz. of white @ 4*s.* 10*d.* w^{ch} came "to £161 3. 10. In all £520 01*s.* 08*d.* And that they "have reserved unsold for the vse of this Company "1239 oz. ¼ of the said plate which sale so by them "made was very well approved of allowed and con-"firmed."

The Court lately (1881) passed an Order in pursuance whereof a list of the plate presented to the Company to 1643 was compiled from various sources, and it will become a question whether it should be replaced in accordance with the recited Orders of Court.

All the Company's Ornamental Plate is the gift of private members, vide page 125 of the Returns.

Clothworkers' Company.

PLATE.—*List of Presentation Plate anterior to* 1643.

(NOTE.—*Articles in the Company's possession printed in italics.*)

Date.	Donor.	Articles.	Weight.	
			ozs.	dwts.
	Samuel Cornock ...	One Slice	20	10
	Leonard Pead......	40 Silver Hafted Knives and Forks. 40 Spoons (2 lost).		
1612	Sir Ralph Warren. Kt. & Ald.	One greate standing Cuppee with a Cover all gilte, with his marke in the bottome thereof.		
	William Lambe (Master 1569)	A Nest of Bowles with a Cover parcell gilte	8)	
	William Armer (Master 1560)	One faire Salte with a Cover, all gilte. And also the greate Garland of silver and gilte, called the Master's Garland.		
1577	Edward Staper	A Nest of Silver Tankards, all gilte, with a poissy engraven in the bottome of every of them, weighing oz. (also £3 11*s.* 8*d.* to make them a dynner).		
,,	Thomas Williams..	A Silver Spoon.		
1578	Edmund Burton...	£10 to buy a Salt.		
1580	(Mrs.) Thomasine Evans.	One standing Cuppe with a Cover, gilte, of the value of £13.		
1590	Richard White	5*s.* to buy a Silver Spoon.		
1596	Launcelot Young ..	A Gilte standing Cuppe with a Cover.		
1597	John Clark	A fair standing Gilte Cuppe with a Cover, value £20.		
1601	Ralph Homore......	A fair standing Cuppe of Silver, called a Nutt, with the Cover, all gilte.		
1604	Anthony Bate	£2 13*s.* 4*d.* for a Trencher Salt.		
1605	Edward Pilsworth . (Master 1601)	£10 for Plate.		
,,	Joseph Jackson.... (Master 1623)	£10 for Fewter.		
,,	John Waldron	A Silver Salt with a Gilt Cover.		
,,	Edward Drurie	A Silver Spoon, all gilt.		
,,	Thomas Medley	,, ,,		
,,	Maurice Pickering .	A Standing Cup with a Cover, all gilt.		
1606	John Burnell ...... (Master 1593)	A Basin and Ewer (*now Rosewater Dish*), *vide* Will of John Burnell, dated 15th December, 1603, proved 16th August, 1605, "Item.—I give and "bequeath to the s^d "Company and their "successors *a basin and* "*an ewer of silver* "*parcell guilt* with "myne armes and name "engraven thereon and "this insculpcõn, 'The "'Gift of John Burnell, "'Clothworker,' of the "value of Thirty-three "pounds six shillings "eighte pence"	72	1
,,	Sir W. Stone, Kt. (Master 1606)	Four Garlands of purple velvet with three scutcheons of the Company's Arms on each, richly embroidered with gold and silver twine, lined with crimson satin, and a fair case to keep the Garlands in for the use of the Wardens of the Yeomanry.		
,,	John Collard	A fair Spoon, of silver, all gilt.		
1607	James Croppe	A little Bowl, of silver, all gilt.		
,,	Daniel Brames	A little standing Cup with a Cover, all gilt.		
1608	Hewett Staper.....	Three fair Silver Bowls.		
,,	Thomas Wright ...	A fair Spoon parcel of silver white (*now 3 Silver Gravy Spoons, engraved "T.W."*)	19	18
1609	Richard Bolton....	£5 for piece of plate.		
,,	William Froshiers .	A small standing Cup with a Cover, all gilt.		
1612	Garrett Ward......	£10 for a Silver Gilt Salt.		
,,	John Burnell (Master 1593)	A small standing Cup and Cover, all gilt.		
1613	Thomas Compton ..	,, ,, ,,		
,,	Lord Padgett	,, ,, ,,		
,,	John Willett.......	,, ,, ,,		
,,	Hugh Parry	£20 to be laid out in Silver Plate. Six Bowls of Silver purchased.		
,,	Thomas Chamtry ..	A small gilt Bowl.		
1614	John Hodges	A standing Cup with a Cover, all gilt.		
1615	Frau Daustyn......	A small Silver Cup.		
,,	Robert Batty	Three Silver Spoons, all gilt.		
1616	Mrs. Philpott	A fair White Silver Bowl.		
,,	Edmund Harris....	£4 to purchase Plate.		
,,	Richard Lowes.....	£13 6*s.* 8*d.* A Fair Gilt Salt with Cover.		
1617	Roger Cogan.......	£10 to be laid out in a pair of "handy rows."		
,,	John Hammer.....	A small standing Cup of Silver, all gilt.		
,,	Mrs. Ball	A fair Silver Salt with a Cover.		
1618	Joseph Bond.......	A Small Gilt Cup.		
,,	John Humphrey (late Clerk)	A fair Gilt Salt.		
,,	Benjn. Joseph	A Silver Salt with Cover.		
,,	Richard Carter	A fair Gilt Spoon.		
,,	Margt. Pilsworth ..	A fair Silver Gilt Salt with Cover.		
,,	Thomas Swayne ...	A Silver Gilt Salt.		
,,	John Treherne.....	A standing Gilt Cup and Cove (value £10).		
,,	John Shield........	A fair French Bowl of White Silver.		
,,	Thomas Bostock ...	£10 to purchase Plate.		
1622	Mrs. Sleyford	,, ,,		
1623	Thomas Hussey....	A very fair Silver Cup with a Cover, all gilt.		
,,	John Cooke........	£10 to buy a Cup and Cover.		
,,	John Bayworth (Master 1602)	A very fair Silver Salt with a Cover (*vide* Bayworth's Will dated 21st March, 1622). "Itm.—I give and "bequeath unto the "said Master, Wardens, and Coml^{ty}. of "Freemen of the Art "or Mystery of Clothworkers in the City "of London in token "of the goodwill which "I bear unto them, a "Salt of Silver, parcel "gilt, of the price or "value of twenty "pounds in money, to "be provided and delivered unto them by "my Executrix (if I "do not give them one "in my lifetime), upon "which I will that the "Arms of the said "Company shall be "engraven on the one "side thereof, and my "name and the year of "our Lord on the other "side thereof."		
1624	Richard Westraw..	£20 to purchase a Silver Basin and Ewer.		
1625	Saml. Middlemore .	Two plain Silver Bowls.		
,,	Edmund Tenant...	A small standing Cup with a Cover of Silver, all gilt.		
1626	Thomas Clattery...	A Silver Bowl for Beer.		
,,	Thomas Church ...	£10 for a dozen Silver Spoons (*now 3 Silver Gravy Spoons*)	20	
1627	Joseph Jackson....	£22 to buy *Silver Basin* and Ewer	64	7
1628	Saml. Middlemore .	£40 to buy Plate. *Two Silver Salvers bought in* 1632.....................	76	18
1629	John Saunders	£9 4*s.* 8*d.* to buy Plate.		
1632	John Eaglefield	A standing Cup with a Cover, silver gilt (value £10)	29	5
,,	John Shukar.......	A small gilt stand Cup.		
,,	Valentine Moore ...	A standing Cup and Cover.		
1638	J. Younge	Three fair bolls of Silver (*now 2 Silver Waiters*, exchanged in 1777) 46 16 48 11	95	7
1639	Peter Ente	A gilt standing Cup and Cover.		
1640	Ald. A. Abdey (Master 1630)	A Silver "Voyder".......	145	
1641	Roger Dunster.....	*A Silver Salt Stand*......	62	1
1642	Nicholas Salby.....	£13 6*s.* 8*d.* to buy a Silver Flagon.		

Charities.

A slight modification of the Charitable Trusts Bill of 1881, as accepted by the House of Lords, would go far to give the powers reasonably required for the strengthening of the Charity Commission, so as to bring about the gradual adaptation (subject to necessary safeguards and rights of appeal on the part of trustees) of obsolete and more or less worn out and useless charities to the requirements of modern life and civilisation, *e.g.* such educational charities as apprentice fees might often be converted into scholarships or bursaries from public elementary schools for girls and boys of exceptional promise, whereby their education might be continued in higher schools of successive grades, ending in the Polytechnic or Central Technical Institute. Moreover, such other charities as are specified in Sect. 30 of the Endowed Schools Act of 1869, might often be converted and made applicable to purposes other than educational as—Provident Dispensaries, Provident Societies, and other Premiums or Incentives towards encouraging provident habits.

Evidence might be given on the following points:

1. Increase of the Company's Income, 1842–82.
2. Proportion spent in education, charity, &c. ,,

Clothworkers' Company.

3. Sale of Irish estate in 1871.
4. Officers—seldom connected with Company by Relationship or Consanguinity.
5. Charities—New Schemes.
   Systematic Distribution of.
6. Internal Management and Administration.
7. Courts—composition of.
8. A.
   - University Scholarships—Rationale of.
   - Sutton Valence and Christian Schools.
   - Hospitals and Dispensaries.
   - Church Grants—Lambe's Trust, &c.

   B.
   - Technical education as connected with Clothworking.
   - „ „ City and Guilds of London Institute.
9. So-called Municipal and Parliamentary Franchise. Exercise of by Liverymen.
10. Provincial Guilds—Bristol, Sheffield (Hallamshire), NEWCASTLE, Coventry, Norwich, Ipswich, Exeter, York, Chester, &c.
11. Clothworkers' education and advancement.
12. Higher education of girls and women.

The following extracts from the Wardens' Accounts illustrate some of the chief public objects to which the Company subscribed in former times.

		£	s.	d.
1553/4	Towards Suppression of Sir Thomas Wyatt's Rebellion - - - - -	28	10	4
1555/6	Setting forth 6 Soldiers to the Sea about the Queen's affairs and business -	4	14	9
1556/7	Setting forth 24 Soldiers which went to the Camp at Saynte Quyntynes, 20 July, 1557 - - - - -	18	13	10
1557	Setting forth 28 Soldiers who were sent out towards Calais, the 5th January, 1557 - - - - -	64	15	1
1557	Defence of the King and Queen's Majesties	47	1	1
1562/3	Setting forth 22 men who were sent to Newhaven, the 9th July, 1563 - -	55	1	0
1572	A Show before the Queen at Greenwich -	137	11	10
1573	Loan to the Town of Rochelle in France -	150	0	0
1621	Defence of the Palatinate - -	282	10	0
1637	Repair of S. Paul's Cathedral - -	200	0	0
1638/9	Proportion of £8000, *re* Charters, Letters Patent, &c. - - -	440	0	0
	Poor of S. Edmunds Bury, Suffolk, Visited by Plague - - - - -	20	0	0
1642	Distressed Protestants in Ireland - -	80	0	0
1660	Thanksgiving at S. Paul's, 5 May, 1660, to put out and remove the Arms of the Commonwealth from all things belonging to the Company, and to set in their stead the Arms of His Majesty - -			
	King Charles and his Sons (proportion of £12,000) - - - - -	660	0	0
1661	Proportion for Building the Pageants on the King's passing through the City from the Tower to Whitehall - - -	530	0	0
1662	Voluntary Present to His Majesty -	200	0	0
1666	Towards building the Ship "The Loyal London" - - - -	400	0	0
1677	Samuel Pepys, Secretary to the Admiralty, was Master.			
1681	Redeeming Barbary Slaves - -	20	0	0
1707	English Church at Rotterdam - -	15	15	0
1717	Poor Sufferers by Fire at Limehouse -	10	0	0
1731	„ „ Blandford, Tiverton, and Ramsay - - -	60	0	0
1736	Protestant Schools in Ireland - -	50	0	0
1743	Poor Sufferers by Fire at Omagh, in Ireland - - - - -	21	0	0
1746	Relief, Support, and Encouragement of His Majesty's Service - - -	212	10	0
1752	Propagation of the Gospel - -	21	0	0
1757	Marine Society - - - -	100	0	0
1759	„ „ - - - -	100	0	0
	Charity Schools in Ireland - -	100	0	0
	Guildhall Subscription for Soldiers -	300	0	0
1760	Clothing for English Soldiers in Germany	100	0	0
1762	School Master, Peel Town, Isle of Man -	5	0	0
	Towards Translating Bible into Manx -	31	10	0
1763	Marine Society - - - -	100	0	0
	Company's Poor, being a Severe Winter -	136	0	0
1770	Sufferers by Fire at S. John's, in Antigua	100	0	0
1771	Marine Society - - - -	100	0	0
1772	Sufferers by Fire at Granada - -	50	0	0
1776	Relief of Soldiers in America - -	100	0	0
	Relief of Poor - - - -	100	0	0
	Poor Inhabitants of the City of London -	100	0	0
	Relief of Poor - - -	50	0	0
	Marine Society - - - -	100	0	0
1777	Sufferers by Fire at Basslene, S. Kitts -	52	10	0
1778	Marine Society - - - -	100	0	0
1779	Society for Propagation of Gospel -	21	0	0
1780	Marine Society - - - -	300	0	0
1781	Sufferers by Hurricane at Jamaica -	200	0	0
	„ „ S. Vincent -	100	0	0
1782	„ Fire in Thames Street -	5	5	0
1785	Society of Patrons of the Anniversary of Charity Schools - - -	20	0	0
1792	Towards beautifying Dunboe Church -	31	10	0
	Smallpox Hospital - - -	52	10	0
1794	Marine Society - - - -	100	0	0
1795	Poor Inhabitants of Tower Ward - -	31	10	0
	Poor of the Company, extra - -	105	0	0
1796	London Hospital - - - -	100	0	0
1798	Voluntary Contributions towards Defence of Country - -	500	0	0
1799	Military Association of Tower Ward -	21	0	0
1802	Margate Sea Bathing Infirmary - -	25	0	0
1803	Tower Ward Association - - -	100	0	0
	Patriotic Fund at Lloyd's - - -	300	0	0
1811	British Prisoners in France - -	52	10	0
	Sufferers in Portugal - - -	105	0	0
1812	National Society for Education of Poor -	50	0	0
	Protestant School in Londonderry -	50	0	0
1813	Russian Sufferers - - - -	105	0	0
1814	Relief of the Distresses in Germany -	100	0	0
1815	Relief and Benefit of the Families of the Brave Men Killed, and of the Wounded Sufferers of the British Army under the command of the Illustrious Wellington in the signal battle of Waterloo -	210	0	0

NINETEENTH DAY.

Wednesday, 2nd May 1883.

PRESENT:

THE RIGHT HONOURABLE THE EARL OF DERBY, CHAIRMAN.

HIS GRACE THE DUKE OF BEDFORD, K.G.
THE RIGHT HON. VISCOUNT SHERBROOKE.
THE RIGHT HON. SIR RICHARD A. CROSS, G.C.B.
SIR SIDNEY H. WATERLOW, BART., M.P.
MR. ALDERMAN COTTON, M.P.
MR. PELL, M.P.
MR. JOSEPH FIRTH, M.P.
MR. THOMAS BURT, M.P.

MR. H. D. WARR, *Secretary.*

Deputation from Drapers' Company.

2 May 1883.

The following gentlemen attended as a deputation from the Drapers' Company:—

Mr. William Henry Dalton.
Mr. John Rogers Jennings.
Mr. W. P. Sawyer.

3164. (*Chairman to Mr. Dalton.*) You have come, I understand, as representing the Drapers' Company? —We have.

3165. And I understand that you have a statement in preparation which you intend to lay before the Commission, but which is not yet ready, is that so?— Quite so.

3166. May I ask you to what that statement refers? —That statement refers principally to our Irish estates, and is an answer to Dr. Todd's evidence.

3167. We have had your returns laid before us, and I understand that your object in coming here is not so much to add to that, as to give members of the Commission an opportunity of cross-examining upon them if they think fit?—We come in response to the Commissioners' invitation.

3168. (*Sir Richard Cross.*) I understand that you wish to correct some statement that has been made by Mr. Longley?—Yes, there are one or two things in Mr. Longley's evidence I should like to allude to and correct. In question 322, Mr. Longley refers to Howell's Charity. That case was decided by the Master of the Rolls on the 3rd May 1843, adversely to our Company. It was decided against us, but I think, looking back to that time, we are surprised that we were not then legally advised to take it back into Court. I had better read to you a few words of Lord Langdale's judgment, which I think absolves our Company from any blame. On page 13 of the judgment he says: " Now nothing can be more satisfactory in an investi- " gation of this kind than to find that there is no " possibility for any imputation of bad or corrupt " conduct on the part of the defendants. The present " defendants, beyond all question, have applied this " fund just in the manner in which it has been applied " by their predecessors; in all probability they never " looked at the original foundation at all; but instead " of applying it to any beneficial purposes of their " own, it is now shown by the evidence, and by their " answer, and it is admitted by the Attorney-General " that they have applied these funds not to their own " benefit, but in a most beneficial manner for the most " useful charitable purposes; and one may entertain " very great doubts whether extending the charitable " purposes of the founder will be productive of effects " anything like so beneficial as the charitable purposes " promoted by the defendants." That will show, I think, that Lord Langdale exonerates the Company from any blame for what they had done, and besides that, the course they adopted was a wise course as far as the administration of the funds went. Then afterwards, with reference to Mr. Longley's evidence, in which he alludes to the cost of administration of charities, I think he says the livery companies are very lavish in their expenditure in management. Now I may say that our charitable trusts income is 30,000*l.* a year, and the cost of management is 1,500*l.*; that is about 5 per cent. I should say the property consists of houses in London, and farms and property in the country. That 5 per cent. includes rent collection, the management of property and the distribution of the revenue, and solicitors, surveyors, and land agents' charges, and the property being scattered all over the country, of course there is occasionally considerable expense in its management. As to the distribution of the revenue, we have six schools with 420 pupils, 12 sets of almshouses, with 206 inmates; four apprentice charities, the number of apprentices averaging 80 a year and 130 pensioners. We consider that 5 per cent. of the revenue cannot be called a very lavish expenditure. Then we come to the statement about Bancroft's School and Corney's School at question 457 of Mr. Longley's evidence. He blends them into one institution, but they are totally distinct. The date of Bancroft's will was 1727; he then left money to found a school and almshouses, which we have had from that time to this; Mr. Longley in his evidence seems to imply that we have gone with 50,000*l.* to the Commissioners, I will not say to bribe, but to induce them to give us certain advantages; now we deny that *in toto.* This school is a pet school of the Company; we have had it under our management since 1727, and we take great interest in it, and also in the success of our boys, and the boys turn out very well indeed in a great many cases. The school was an old building and unfit for the present times, and not in good sanitary condition, and our architect told us it was of no use to patch it up and try to repair it. The funds of the charity would not allow of anything like the expenditure necessary to rebuild it, and we resolved to go to the Commissioners for a scheme to rebuild the school, either where it is now, or elsewhere near London. Then, with regard to Corney's School, that is quite a modern institution founded by Mr. Corney, a personal friend of my own, and a master of our Company, who left us 36,000*l.* to establish a school for fatherless girls. We established that school; we spent about 6,000*l.* in purchasing the freehold premises, and the 30,000*l.* was invested for the income. We have expended from our corporate funds upon the school 11,000*l.*, and at the present time we are paying one half of the annual expenses. Last year there was nearly 1,000*l.* voted on this account. The very fact, I think, that a past master of our Company at the present day leaves this large fund in our hands shows the confidence he has that we act as faithful trustees of charitable trusts. Then I think I may say a word about the Irish estates. Upon that matter we are prepared to send in to the Royal Commissioners a statement to show our view. I do not know that I have anything more to say. I would only add, in conclusion, that we believe that our estates and property have been very judiciously managed, and I honestly say that I am sure that our charity trusts have been most faithfully administered. To quote the words of one of the witnesses who have appeared before the Commissioners, " what we have "done in the past is a guarantee for what we shall do "in the future; in other words, we have earned a right "to be trusted."

3169. (*Sir Sydney Waterlow.*) I think in addition to other charities your Company spends large sums on technical education, does it not?—It does.

3170. They have given 10,000*l.* towards the erection of the Technical College in Finsbury, have they not?—They have given 10,000*l.* towards the college building in Finsbury.

3171. (*Mr. Firth.*) In what year was that given? —Our first vote for technical education was on February 7th, 1877, when we voted 2,000*l.* a year to the Technical Institute. The 10,000*l.* was given subsequent to that.

3172. (*Sir Sydney Waterlow.*) And the 2,000*l.* has been increased to 4,000*l.*, has it not?—To 4,500*l.*

3173. And is there every reason to believe that if the Institute conducts its work properly, the Company will continue to support it?—I may say the Drapers' Company have long felt a great interest in the work of promoting technical education. The earliest meeting of the city guilds was held at Drapers' Hall, I think, in 1876. We take a great interest in the matter, and no doubt, if funds are wanting, we shall be ready to at any time with other companies to come forward and supplement the funds.

3174. Passing from that, I think we have heard that you have 80 distinct charities?—I think we have.

3175. With an income of 28,000*l.* a year to distribute amongst them?—We put our charity income at about 30,000*l.* in round numbers.

3176. Is the charity income administered free of any cost of administration?—I mentioned just now that 5 per cent. is the cost to the charities of the management, but then beyond that we use our own money.

3177. Do you charge the 5 per cent. against the charities?—We do not make a charge of 5 per cent.; the total expenses amount to about 5 per cent.

3178. Do you pay it out of the corporate income? —No.

3179. Not out of the charities?—Yes, out of the charities. The amount charged out of the charity trust fund amounts to about 5 per cent.; it is not a 5 per cent. charge, there are different items—surveyors, lawyers, land agents, and so forth—amounting in the aggregate to 5 per cent., but we spend a great deal of money besides out of our own corporate fund over and above that which is the cost to the charities.

3180. I understand you to say that you supplement your charity income out of your corporate income?—We do considerably.

3181. In many cases?—In many cases.

3182. Do you bind apprentices at Drapers' Hall?—Yes.

3183. Are they bound to persons carrying on the trade?—No, any freeman belonging to the Drapers' Company can have an apprentice bound to him; he must carry on a trade, but not necessarily the trade of a draper.

3184. Are the apprentices bound to persons carrying on trade, and is the master who takes an apprentice bound to teach him the trade which he (the master) follows?—Yes.

3185. Then they are all genuine apprentices?—Quite so; we do not admit any one to the freedom who has not really served his time.

3186. (*Mr. Firth.*) I see you have bound 58 apprentices in 10 years at the Company's Hall, but you have placed out 596; would you explain the difference? —We have a Dixon Charity and a Pennoyer Charity which provide funds for binding apprentices; they are not bound to our Company; they do not become freemen.

3187. Upon the question of search I should like to ask you something. Do you consider that your right of search and of trade control still remains?—We do not exercise the right of search now; there is no connexion between our Company and the trade.

Deputation from Drapers' Company.

2 May 1883.

3188. But you had a right of search down to a very recent period, had you not?—We have not exercised it in my time.

3189. I see you say a fee was last paid to the city officer, who accompanied you in search, in 1852?—That was before my time.

3190. You are aware that in the prosecution of that search you are assisted by the mayor and sergeant-at-mace?—I was not at all aware of that.

3191. That is in your return?—I was not at all aware of it.

3192. I should like to ask you a question as to the point that has been raised as to the power of the Court of mayor and aldermen over you; do you admit that they have a power now to compel anyone to enter on your Livery?—No.

3193. Are you aware that where the Drapers' Company refuse to admit a man who had been elected aldermen they were enjoined to receive him. I refer to a case reported at page 316 of Herbert. I want to know whether the mayor and aldermen can compel you to receive a man supposing him to be a member of another Company in the event of your Company declining to receive him?—I should say not; I am not aware of it.

3194. Has your attention been drawn to the report of such a case in Herbert, page 316?—No, it has not.

3195. You have byelaws still, have you not?—Yes.

3196. Are those byelaws still approved, or were those under which you act approved by the Lord Chancellor and two Chief Justices?—No, they are among ourselves only; they regulate our own business of the Court.

3197. Have you any byelaws that were not so approved under the statute which is still in force?—What class of byelaw?

3198. Regulating the Company?—No; our byelaws are merely rules laid down by the Court for our own guidance at our own meetings.

3199. On page 11 you make a return as to the election of the Court, and so on; those byelaws are sanctioned by the Lord Chancellor and Chief Justices under a statute which is still in force, a statute of Henry VII. You say there they were confirmed by the Lord Chancellor and Chief Justices, that is, under a statute which is still in force. I only wish to ask whether your present byelaws are still so framed or whether you are acting under these?—We act under those, certainly.

3200. I should like to ask you a question about your expenses, then I will not trouble you further. I do not think you have them before you, but if I may go so far as to hand you your page of expenses, I will ask you about them (*the same was handed to the witness*). I see on page 33, under the year 1879, the fourth item is a sum of 12,319*l.* 16*s.* 11*d.* as the sum expended in that year; does that include the technical education?—Yes, it does.

3201. You have not set out at length what the other donations or premiums were?—No.

3202. Can you say how much of it is pensions?—The amount is very small in pensions comparatively to what we give away in other charities; but that we can furnish you with any day.

3203. Confining my question to this column, I see your gross expenditure for that year is 45,143*l.* 12*s.* 4*d.*? —Yes.

3204. There are two items, I find, expenditure on works of a public nature and investments on new buildings in England, 1,968*l.* and 5,878*l.*, making together 7,846*l.*?—Yes.

3205. If that be added to this sum of 12,319*l.* we then have a total a little over 20,000*l.*, leaving 25,000*l.* as expenditure that is neither donations nor gifts, nor capital expenditure?—That is, buildings in England in an exceptional year. It is rather an investment of capital than a spending of income. Offices were rebuilt by us, and those offices produce a large revenue.

Deputation from Drapers' Company.

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3206. The point of my question is this: there remained 24,978*l.* which has been spent, as I read your accounts, upon your officers, or your members, or your entertainments, or your buildings, management, or maintenance, in some form?—Yes.

3207. There are two items to which I should like to draw your special attention if I might. One is, "disbursements for courts and committees, including dinners," 4,984*l.*, and for entertainments 6,112*l.*, making a total of 11,096*l.* As to payments for courts which is not put separately, can you tell me how much is paid for attendance on courts and committees?—It is 3*l.* 3*s.* to each member.

3208. Each time?—Yes, each time.

3209. Is that paid to him at each attendance?—Yes.

3210. Is it handed to him?—Yes, every member of the court attending at the court has a fee of 3*l.* 3*s.*

3211. And that is the only payment; each committee is paid in that way?—Yes.

3212. (*Chairman.*) We understood that you came here wishing to make some statement as to your Irish property; have you anything to add to what has already been said as to that?—No; I may say we have had the character of being admirable landlords, and we have never had our title disputed. We will send in a written reply to Dr. Todd's evidence.

The deputation retired.

Deputation from Salters' Company.

The following gentlemen attended as a deputation from the Salters' Company:—

Mr. Arthur Bowdler Hill.
Mr. Frederick Le Gros Clark, F.R.S.
Mr. Thomas Hicks.
Mr. Henry William Eaton, M.P.
Mr. Alderman Fowler, M.P.
Mr. E. Lionel Scott (Clerk).

3213. (*Chairman to Mr. Clark.*) We understand that you wish to contradict or modify some statements made by Dr. Todd in his evidence with regard to your Company, or that you have some statement to make with reference to it. We have certain statements before us which were made by Dr. Todd which you do not exactly accept as accurate, we understand?—We have made our answer in the short statement which has been drawn up and handed in to the secretary.

3214. I see you say here that you have spent in all 51,000*l.* upon your estates in the last 28 years?—Yes.

3215. I see a complaint was made by Mr. Brown, a gentleman who appeared here as a witness, to the effect that there is considerable poverty prevailing on the Salters' estate, because during the bad years the Company never made them any reduction or allowance on the rents; do you admit that statement?—It is answered in the paragraph which I will read to your Lordship:—"Mr. Andrew Brown, a tenant on "the estate, who gave evidence before the Commis- "sion, also on the 12th day, complains that an appeal "which was made against an advance of 20 per cent. "put on a portion of the estate in bad years, was "rejected." Now this bare paragraph, as it stands, would tend to somewhat mislead those who read it without being acquainted with the circumstances, but the answer is given in the next paragraph:—"This "augmented rent was an addition of 20 per cent. on "a small section of the Townpark holdings, which "had been reduced 10 per cent. in 1855, and not in- "creased when the rentals of the agricultural holdings "were raised 10 per cent. in 1866. The aggregate "annual accretion of rent from this source amounted "to about 150*l.*, and simply placed all town-parks and "agricultural holdings on the same footing."

3216. It is also stated, I observe, that the recent appeal for a reduction of rent was rejected; that you deny?—No, we do not deny that we rejected it. The paragraph which follows states, "It is true that the "Company declined to adopt a general reduction of "their moderate rental, which, for agricultural hold- "ings, is about 10 per cent. below the Government "valuation; but they promised to take into considera- "tion individual applications for relief, and to deter- "mine them on their respective merits. This decision "has been acted on, and in several instances remis- "sion of rent has been granted, and pecuniary assist- "ance afforded to needy tenants." I may say this has been done to a very considerable extent. We have always fully taken into consideration the nature of the appeal and the character of those who are appealing to us.

3217. And in reply to the statement that nothing has been done upon the farm except by tenants, you answer that you have spent 16,000*l.* on the rural districts and 12,000*l.* odd on the town holdings?—Yes; and the particulars are given in the table below in our reply.

3218. (*Sir Sydney Waterlow.*) Is it not true that the Salters' Company paid a sum of money at the beginning of the 17th century for their share of the Irish estates?—The Salters' Company paid a sum of money for possession of the Irish estates.

3219. For their share?—Quite so.

3220. Is it not true that shortly after that, whatever trust there was on the Company's property that was transferred in fact to the Irish society and that the Company's properties have been sold, and that it has been acknowledged, that there is no trust impressed upon them?—Yes; quite so. The property of the Company, as I understand it, was by the act of the Star Chamber taken from the Companies, and restored to them when it was proved that that dispossession was unjust and illegal.

3221. Is it a fact that the Salters' Company have expended large sums of money in public buildings, especially in the erection of churches in the district in which your land is situated?—It is quite true.

3222. And not confined to any particular denomination?—No.

3223. Is it a fact that you have contributed towards the erection of Roman Catholic churches?—Quite recently we have contributed 1,000*l.* towards the erection of a Roman Catholic church, besides giving the site.

3224. Have the Company throughout the time they have been the owners of this estate sought to benefit the people quite apart from any sectarian views?—Entirely so.

3225. Their schools have been always open to all denominations, have they not?—Yes, they have been. We have made no difference between Presbyterians, Episcopalians, or Roman Catholics.

3226. (*Mr. Firth.*) I find that your Irish estate income for 1879–80, according to your return, was 12,309*l.*, deducting balance carried forward, 840*l.*, that leaves an income of 11,469*l.*; and I see that something over 2,000*l.* was devoted to the objects you speak of—2,125*l.*; is that about the usual proportion of your income that you apply for Irish purposes?—I should think a larger proportion than that out of our income, certainly.

3227. I have the figures here. With respect to your English expenditure, perhaps I might ask you a question. I find that your total English expenditure was 29,790*l.*, but there are items with respect to the purchase of land from the Saddlers' Company and the Dyers' Company; you purchased their shares of the Irish estates, did you not?—We have done so.

3228. There remains of current expenditure, as I read your account, five items on page 24: Expenses of maintenance, 7,275*l.*; entertainments, 3,046*l.*; gifts, 1,574*l.*; subscriptions and donations to decayed members and their relatives and others, 2,508*l.*; technical education, 575*l.* You did not give anything to technical education before 1878, I think?—No, I think that was the first year in which we gave anything.

3229. Will you kindly tell me with respect to the other item as to gifts to decayed members and their relatives what that means; do you give to the relatives of your members?—Those who are related, such as widows and daughters. Every case is carefully investigated, of course.

3230. The items of current expenditure I have read over amount to 14,978*l.* I see that those two items, maintenance and management and entertainments, amount together to 10,322*l.* Do not you consider that a large proportion of your current expenditure for maintenance and entertainments?—That includes a great many items.

3231. They are all put by you as maintenance and management. It is the second item to which I refer: "Rates, taxes, insurance (mostly repaid by tenants), "salaries, wages, professional and other charges of "maintenance of buildings and management, 7,275*l.*" Then there are entertainments, 3,046*l.*?—Yes, that is quite right.

3232. My question was, do not you consider the 10,322*l.*, a somewhat large proportion to expend out of a current expenditure of 14,978*l.* for those purposes?—Of course, it is a matter of opinion whether it is so or not. If each item is carefully investigated I do not think it will be considered a large proportion.

3233. Do you pay anything to your court of assistants or members of committees for their attendance?—We do.

3234. Where does that appear?—It appears in our report.

3235. What is the yearly amount; it is not in this paper, I think?—It is in page 28, under the head of management.

3236. Can you tell me what proportion of the 7,275*l.* is so appropriated?—Do you speak of the entertainments or the management?

3237. I am speaking of the payment to the members of the court for attendance at committees?—The committees and the courts are distinct. The court is attended by all the members; the committees are attendances of certain only of the members. Do you wish the whole amount?

3238. I was asking what proportion of this sum of 7,275*l.* was paid to the members of the court?—2,130*l.*

3239. (*Mr. Burt.*) In answer to Sir Sydney Waterlow, I understood you to say that what you give for any purpose is given entirely on unsectarian grounds?—Entirely so.

3240. With regard to the next item mentioned here, Ministers and Church Sustentation Fund, church buildings, parsonages, &c., is that the Church of England?—You will find in the second page, "Support of education, church building and parsonages."

3241. It is the Church of England, I suppose, in that case?—No, not exclusively. You are speaking of the church of Ireland, I presume?

3242. Yes. With regard to charitable and other donations, on what principle is that money given; is that also entirely irrespective of creed?—It is where applications are made to us for relief.

3243. Persons connected with the estate, I suppose?—Yes, certainly; they are our own tenants.

3244. With regard to the apprenticeship, is it merely nominal or are the apprentices really apprenticed to the Salters'?—Our apprenticeship is actual servitude. We inquire very carefully into that, and some of our officers look after the apprentices from time to time to see that it is actual servitude.

3245. (*Mr. Alderman Cotton.*) Do you consider that the money which you give in charities, that is to say, in pensions and annuities of that kind, does a very great deal of good?—I do, certainly.

3246. Do you consider that by supplying these pensioners with moneys you save them going upon the rates or going into the workhouse?—Certainly, or from becoming absolutely destitute.

3247. Their home would be the workhouse if it were not for the assistance you give them, would it not?—Yes, in a large number of cases, no doubt. We have some very sad cases, where the applicants have been the children or widows even of members of the court.

Deputation from Salters' Company.

2 May 1883.

The deputation withdrew.

Deputation from Ironmongers' Company.

The following gentlemen attended as a deputation from the Ironmongers' Company:—

Mr. F. J. Barron, Master.
Mr. W. Bevan, Senior Warden.
Mr. J. T. Horner.
Mr. H. R. Price.
Mr. William Gribble, of Scriveners' Company, on behalf of Associated Companies, and
Mr. R. C. A. Beck, Clerk.

3248. (*Chairman to Mr. Barron.*) We have received from you two printed statements, one relating to your Irish estates and the other to your property in general, which have been put before us as part of the evidence, and which I think it will not be necessary that we should read, as they are in print in the hands of the Commissioners. Is there anything you wish to add?—We would respectfully submit that you allow them to be printed on your minutes of evidence if you take them as read. (*Chairman.*) This shall be done.

3249. Have you anything to add to what has been stated in those papers?—Only as to the Irish estate. We ask your Lordship to hear Mr. Rokeby Price upon that.

3250. (*To Mr. Rokeby Price.*) I understand you to wish to make some supplementary statement with regard to your Irish estates?—Yes, we wish just to draw the attention of your Lordship and the Commission to the fact that the statement made by the deputation from Ireland which attended before the Commission is incorrect in saying that it is a trust. We wish also to mention that we did in 1764 redeem the tithe entirely on behalf of our tenants, which cost us 1,115*l.*; by that payment we extinguished all tithe for the future. We wish also to draw attention to the fact that we have expended very large sums on roads, bridges, and fences, amounting to about 625*l.* a year. We give also 400*l.* to schools and other charities, and we have contributed, as we state in our statement which your Lordship has before you, 200*l.* towards the preliminary expenses of the Derry Central Railway and guaranteed 5 per cent. interest on 5,000*l.* worth of shares for 25 years. We deny that the tenants hold from the middlemen from year to year; we deny that, and that they held on lease from 1841 for three lives. We wish also to draw the attention of the Commission to the fact that during the time we have had the property in our hands, which is since 1841, we have had but three evictions on the estate, and that was from circumstances which we could not possibly avoid. Having served on the Irish Committee for a good many years, I think I may say that we have had no application for a reduction of rent from any of our tenants, with the exception of a few from an estate called the Stirling estate, which we purchased a few years ago, and on this estate the rent had been raised shortly before we bought it; but since then we have reduced the rent, otherwise the tenants proper of the Ironmongers' estate have made no application for the reduction of rents, so far as my recollection goes.

3251. I see that you state your present rental is 6 per cent. below Griffith's valuation?—That is true.

3252. What do you mean by the statement which appears in the last paragraph of your printed memorandum that in 1860 the Company established a tenant right equivalent to 10 years' purchase of the rent?—I was just going to mention that, it is a very important thing. I believe our estate was the only estate in Ireland that had that custom. When the estate came out of lease from the Bishop of Meath there was no such thing as tenant right upon our estates. Our rents were then so low that tenant right arose, seeing then that we thought it would be a very bad thing to have an indiscriminate price for our tenant right, we established this custom, that

Deputation from Ironmongers' Company.

2 May 1883.

if any person wished to give up his farm the Company would buy it at a 10 years' price. It was sold to us (the Company) and we sold it again to the incoming tenant at the same price. Our policy was not to introduce any fresh tenants on to our estate, if possible, but to give the offer of any vacant farm to the neighbouring tenants. Our object was this: Our neighbours found out to their great cost, and it is now a still greater cost since the Land Act, that it was a very disadvantageous thing for a tenant to give an enormous price and to be saddled with a very large debt for the tenant right, he would not in that case be able to do justice to the farm. We have evidence now before us of three or four farms of ours having been sold in the last few months, where they have actually given 48 to 50 years' purchase for the tenant right.

3253. Is not that more than the value of the freehold?—It is more than we can get. I can give the name of some such cases, Thomas Boyle, of Collins, is one; his rent was 8*l.* 7*s.*, and he has sold his interest for 400*l.* to an adjoining tenant, which is about 48 years' purchase. Widow Dempsey's rent was 4*l.* 9*s.*, she sold hers for 100*l.* Alexander Ranger's rent was 28*l.* 10*s.* 8*d.*, he sold his for 555*l.*; Roger's rent was 11*l.*, he sold his tenant right for 315*l.*, and MacIntyre's rent was 10*l.* 17*s.*, and he sold his tenant right for 305*l.* net. And I am reminded by my colleague here that two of those have stated that we charged them too much rent before, a statement of which we never heard until lately, a statement not borne out by the prices they obtained for their tenant right.

3254. (*Sir Richard Cross.*) What dates are those?—Two or three of them within the last two or three months. There have been eight cases taken into court against us by our tenants. In those eight cases the Government valuation was 102*l.* 10*s.*, our rent 88*l.* 9*s.*, and we have been reduced by the judicial rent to 75*l.* 18*s.*

3255. You said the "Government valuation," I suppose you mean Griffith's valuation?—It is the same—for Government purposes—it is Griffith's valuation. Our rent in 1881 was 88*l.* 9*s.*, and we were reduced by the judicial rent to 75*l.* 18*s.* We have appealed against those cases, and they are under appeal now. We have made one omission which I ought to mention. As an individual Company we have given to our tenants various sums. In 1881 when they applied for assistance in consequence of a bad season we gave them 600*l.*, to be laid out in such a way as our agent and the tenants could agree for the benefit of the people by straightening mereings, roads, and drains, and all that sort of thing. That we have not stated in our paper which you have before you. We also wish just to draw your attention to some italics with regard to the Coopers' Company in the last two paragraphs on page 3. The date of the charter you see was 1609. In 1612 the Coopers' Company found that they could not pay the additional sum which was required, and the condition was that if any one of the Companies did not pay, they were to lose the money they had previously paid. The Corporation stepped in and bought of the Coopers' Company their share. The words are "the city is to re-"ceive all the benefit and profit as well already due "as hereafter shall grow due to the said (Coopers') "Company by the said plantation of Ireland." Then in 1615, James I. gave us the license "that the Com-"panies may in future reap some gain and benefit of "their great travails and expenses taken and bestowed "thereon." I only mention that because it has been stated by Dr. Todd or some other witness here, that we did not hold for our own behoof and benefit. We contend that we do, and we contend that the various companies laid out 150,000*l.* for various purposes upon the property. It is not at all likely that we should have done that except for some benefit. Then again, I wish to draw attention to the fact that we state here that Mr. Canning, who was then a member, and previously the Master of the Ironmongers' Company was sent out there to be governor, and he sold an estate in Warwickshire of his own and laid out certain money, as we state there, in building a church and doing certain other things on the Company's Irish estate, and acquired part of the estate and resided there. He would not have done that if he had thought we could not convey to him with a good title. He would not have sold property in England and invested the money in Ireland unless he were quite certain that he had a good title in Ireland. We think those are certain points which are refuted altogether. We wish also to draw attention to the statement we made in the second paragraph of page 2. Doctor Todd, in his evidence to prove we held these in trust, lays great stress upon the articles of agreement which were made for the first time to make a plantation. It appears from records we have as well as those of the Corporation, that there were two negotiations started. The first one failed, in fact, to use a common expression, it did not float. Then the Government came to the Corporation again, and entered into certain other negotiations with us. The articles to which Dr. Todd refers are the articles of the scheme which did not float or did not succeed. The articles we hold are those of a subsequent agreement, which are very different indeed, and which are set out in the schedule in full. I do not know that there is anything else. If I have omitted anything my colleagues here will put me right. I should just draw attention to one other point. On page 5 in the last paragraph we state: "In 1842 the Company's estate contained "12,686 acres, then valued by the well-known valua-"tors, Messrs. Nolan, at 5,610*l.* per annum, and let at "5,509*l.*, chiefly on yearly tenancies to the tenants "actually in occupation at the expiration of the last "lease which had been granted by the Company on "lives." Your Lordship will see that we put our rents at 100*l.* a year below the rents which those well-known valuators agreed upon, and in 1860 when the re-valuation took place, Mr. Nolan was sent for from Ireland and attended the Ironmongers' Company. We then gave him directions as to re-valuation, and told him not to make too excessive a valuation. He said he would not, and he did not. The result is what you have there. From 1861 up to this time we have had no complaints as to those rents, I think I may say, with the exception of those Stirling tenants. Having been three times over to Ireland on a deputation from this Company, I can say that on no occasion have I or my colleagues had an application in person for a reduction of rent. The last time we were over there it was known that we wanted to sell our estates, and there was an agricultural show there which the Company have every year, and being there by myself on a subsequent occasion I was besieged by the tenants and begged not to sell. I said, we must sell, and they said, we do hope you will keep us out of the hands of the Gombeen man and private owners. Those were the expressions made use of to me on that occasion. I think if we had been such hard landlords, or that our rents had been too high, they would not have asked that; so long they had been our tenants, and they asked us to continue their landlords.

3256. (*Chairman.*) Did they express a wish to buy themselves?—No; I should tell you that some of them would buy. Your Lordship will see that a scheme of acreage is given in our statement, and you will see that we have a very large number of tenants and a number of them at very small rents indeed. That your Lordship will find in the original return. We have 541 tenants on our property at rents something like an average of 13*l.* a year.

3257. (*Mr. Firth to the Clerk of the Company.*) I should like to ask you about this return on the first page as to list of trust deeds, founding, regulating, or affecting the Company. You say there are none except the ordinances, regulating the Company; what was the date of the ordinances?—25th January, 19th Henry VII.

3258. Is that the last you have?—Yes.

3259. Those would be settled under the Statute 7th Henry VII., I suppose, by the Lord Chancellor and two chief justices?—Yes, they were.

3260. You state on page 42 that the decisions and the proceedings of your court are not published; but every member can ascertain them from the minute book which is read at every court. Do you mean that every member of the company has that open to him?—Every member of the livery.

3261. Any member of the livery can ascertain that information?—Yes.

3262. Can you tell me who your apprentices were bound to; what was the trade to which they belonged?—At what date?

3263. The last 10 years?—They were apprenticed to any trade.

3264. Were the masters *boná fide* trading?—They have to make a declaration that it is a *boná fide* servitude.

3265. And they really served seven years?—Or five. They are apprenticed for five or seven years.

3266. Living with the person to whom they are bound?—I do not think it is necessary for them to be living with them.

3267. Attending at their places of business every week; is that so constantly?—I may say every day. It is not a colourable servitude.

(*Mr. Rokeby Price.*) May I just say that when I was senior warden of the Company, which was a few years ago, we had a certain firm of brushmakers named Pritchard, in Newgate Street, who had been members of the Company for generations, and I myself, as senior warden, whose duty it is always to do it, bound a young man to Messrs. Pritchard for five years, and I have every reason to believe that he is there still.

3268. That is one case?—Yes.

3269. Upon your accounts I notice that you return for the last year a total expenditure of 13,207*l.*, deducting the balance, 2,148*l.*, there remains 11,059*l.* Is there any expenditure whatever for the interest of the Ironmongers' Trade Society in any way?—(*The Clerk*). None at all.

(*Mr. Rokeby Price.*) We give 10 guineas a year as a donation to the Ironmongers' Trade Society, but that is all.

3270. That is among the 1,028*l.* which is given for donations and gratuities?—Yes, it is a simple gratuity like any other gratuity that we give.

(*The Clerk.*) The Ironmongers' Company have nothing to do with trade.

3271. I notice in the last paper with which you have supplied the Commission to-day, you say that the Company is independent of any control by the city. Are you aware that the courts of law have held that the courts are subject to the control of the city. Have you ever heard of a case?—I have heard that statement made.

3272. Do not misunderstand my question. Have you heard or seen that it has been decided by courts of law that the companies are subject to the control of the city?—No.

3273. What is the statement that you had heard?—That which is referred to in the Grocers' statement. I cannot give you any better information than is given in that statement. The case is thoroughly argued out there.

3274. You do not consider that they are under the control of the court of mayor and aldermen?—No.

3275. Nor, I see, do you consider that they form any part of the corporation of the city?—No.

3276. Have you considered this: suppose they do form no part of the corporation of the city; if they were dissolved for any purpose (if you dissolved yourselves, for instance) do you consider that the corporation of the city could go on?—I have not considered it.

3277. You are aware that under your regulating Act in one respect the liverymen of a company can vote for the Lord Mayor?—I am not aware.

Deputation from Ironmongers' Company.

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(*Mr. Gribble.*) The Scriveners' Company, my Lord, is one of the companies associated with the Ironmongers' Company, who, in point of fact, contributed to find the money which was assessed upon the Ironmongers' Company. I only wish to say a few words as evidencing what was the thought and intention of the members of the Scriveners' Company of that day who subscribed their money, and to read you a resolution of the Company which was passed in 1626, showing that they themselves thought the money was their own and that they were getting their share of the estates for themselves. It is signed by the different members of the Scriveners' Company. This is a copy which I have extracted from the books. "A Court of Assistants held "the 10th day of January 1626. At this court it "is ordered that all moneys paid and assessed to "be paid towards the plantation in Ireland and the "Companies' proportion and part of lands there, and "the rents, issues, and profits of the same shall for "ever hereafter be and remain to the general use of "this corporation" (that means the Scriveners' Company) "and payable towards the providing and maintaining of an hall and other necessary general affairs "of this society, and not to be or retane to the private "or particular use of any, and for a general consent "hereunto the bretheren of the said Company do "freely hereunto subscribe their names." That is signed by the members, and amongst those the father of an eminent man, John Milton. Then at "A Court of "Assistants holden 25th October 1627, Mr. Ashenden" (he was a member) "being demanded the money by "him due for the Irish plantation, desired to be "respited till the next court day, which the court "thought fit to yield to, but if he do not then pay the "same it is ordered he shall be no longer dispensed "with all." This shows that evidently in 1626, very shortly after moneys were advanced and the Company came into possession of the estates, they themselves considered that they advanced the money for the purpose of getting their share of those estates. My colleague, Mr. Price, has stated, I think, almost everything that can be stated. I am a very old member of the committee, I should tell you, which manages this estate, the oldest present member of the committee, therefore I know something about it. From inquiries which we have made we feel perfectly convinced that none of the tenants are in a position or will be in a position—I should rather say very few of the tenants are in a position or will be in a position—to purchase the estates. It is therefore idle to suppose that they will ever be purchased by them. They have not the means to do so, and they consider themselves better off with us as landlords to deal with than if they became owners of the estate having interest to pay to money lenders and usurers. I should have stated that I do not appear only for the Scriveners' Company but for the Ironmongers' Company and the Associated Companies as a body. I appear for the Associated Companies as a body, because I know more about it than the other members. I am an older member of the committee than the other members of the committee. We are all acting entirely in unison.

3278. (*Mr. Firth.*) I should like to ask you whether you have in your records any copy of the return which I find by the journals of the House of Commons was made by your Company to the House of Commons in 1724?—No, none. I can answer for that, because I have gone through all the books of the Company very recently.

The deputation withdrew.

Deputation from Stationers' Company.

The following gentlemen attended as a deputation from the Stationers' Company:—

Mr. J. J. Miles, Master.
Mr. John Miles } *Wardens.*
Mr. C. Layton }
Mr. C. R. Rivington, Clerk.

3279. (*Chairman to Mr. J. J. Miles.*) I believe you come here as representing the Stationers' Company?—Yes.

Deputation from Stationers' Company.

2 May 1883.

3280. I believe there are some facts which you wish to lay before the Commission ?—Yes. If you would allow me I think it would save the time of the Commission if I ask our clerk to reply to the questions. He has all the information so much better at his fingers' ends.

3281. (*To Mr. Rivington.*) I understand that you are prepared to show that there are some peculiarities in the constitution of your Company ?—I am.

3282. You have duties imposed upon you by Act of Parliament, is not that so ?—Under the Copyright Act.

3283. Will you state what those duties are ?—I may mention that that is not the special peculiarity of our Company. I must go back, if you will allow me, to a date before the incorporation, but I will not keep your Lordship many minutes. The Stationers' Company was incorporated in 1556, but it had existed for upwards of a century or a century and a half before as a society or brotherhood, consisting exclusively of persons employed in the production of other than official books. The members were printers and they had a common stock. Each member put a certain sum of money into a common stock ; the work was divided amongst the members and the productions sold at a profit, and a certain portion of the profit was distributed amongst the members of the Company. In 1556 the Company was incorporated and clothed with certain powers as to the controlling of printing and books issued. Then, of course, the Company became a corporation, but the old body existed, and trading has existed and been carried on separate from the Company as a corporation from that time until the present day, and it is continued, so that in the Stationers' Company there are really two bodies ; there is the corporation of the Stationers' Company and the partners in the stock, which is called an English stock. Formerly there were several stocks ; there was a Latin stock, an Irish stock, a ballad stock, and a bible stock. The stock existing now is an English stock. About 1601 the Company obtained a grant from the king giving them the exclusive right of printing certain publications, and that was amalgamated with the English stock. This stock has a capital of between 41,000*l.* to 42,000*l.*, which is held amongst 306 members of the Company. The capital is divided into certain shares which are held just in the same way as the shares of ordinary companies, and the profits of the stock and property belonging to the stock are appropriated thus : A certain amount is distributed amongst the poor of the Company (it used to be 100*l.* a year, but now it is 400*l.* a year), and after paying that the nett profit is divided by way of dividend which is paid each half year. The members of the Company under the byelaws have a power of disposing of the shares to their widows but to no other persons. Upon the death of a person who has not disposed of his share to his widow the amount is paid out, and an election takes place among the members of the Company to that vacant share. If the share is bequeathed to the widow, the widow can take the share and enjoy the profits during her life, and upon her death that share is then disposed of in the same way as I mentioned before.

3284. (*Sir Sydney Waterlow.*) Then, as a matter of fact, each member subscribes capital towards what is called the English stock just as in the case of a joint stock company ?—Not each member of the Company, but each partner. The members in the trading stock are only a certain number of the liverymen.

3285. And the capital thus raised by that select number of the liverymen is a trading capital used in printing and publishing books at the present time ?—It is.

3286. And that monopoly enjoyed by the Company from the charter granted by the King was a monopoly for printing bibles and almanacks ?—Almanacks and primers.

3287. Of course that monopoly has ceased many years ?—That monopoly has ceased many years.

3288. The Company still continue operations ?—They still continue operations and publish school books.

3289. Can you tell the Commissioners what is, in round numbers, the amount of corporate money beyond that belonging to the English stock ?—The money belonging to the corporation is all set out in the detailed returns which I had the honour to submit to the Commissioners. The property belonging to the English stock consists of this trading capital and investment of certain profits which were accumulated and not wholly distributed amongst the partners. At the time that the Stamp Duty was repealed, a large sum of money was received by the Company, and that was invested, and the produce of that was divided amongst the partners as part of the profit.

3290. Is the membership of the Company still limited to persons connected with the trade ?—Exclusively to persons connected with the trade, and to persons born free. So particular are the Company as to that, that if any application is made from any person who is not a member of the trade, it is not even submitted to the court.

3291. Is the Company practically carrying on at the present time all the duties imposed upon it by the original charter ?—Yes. Of course the duties relating to the controlling of printing are obsolete at the present day, but the Company bind a very large number of apprentices, as many as between 100 and 200 a year ; and those bindings are all *bonâ fide* bindings, the apprentices actually serve their time to printers or booksellers. The Company have the administration of the charities which are exclusively confined to members of their trade. They have nothing to do with persons outside their trade with regard to their charities. They have various duties under the Copyright Acts. Indeed there is now a Bill pending before the House of Commons to increase those duties very considerably by requiring registration of all engravings at Stationers' Hall.

3292. Do the Company derive any profit as a Company from the fees taken under the Copyright Act ?—None at all. Far from deriving any profit they are at a considerable expense ; it is no pecuniary advantage to the Company.

3293. (*Mr. Firth.*) On the first page of your return, speaking of your charter, which you say is destroyed, you say that it purported to establish a corporation to control the printing and publication of books. I think this Company was established by Queen Mary, apprehending, as she says, much ill to the State and Holy Mother Church, and giving you absolute control and sole power to print and publish books ; is not that so ?—It was incorporated.

3294. Giving you the monopoly ?—At that time, certainly.

3295. And under that monopoly you destroyed many thousands of books ?—A very large number.

3296. As to almanacks of which you spoke, your almanack monopoly began, I think, in the reign of James I. ?—Yes, that is so.

3297. And that lasted for 150 years, I think ?—Until the middle of the last century.

3298. How many almanacks do you publish now ?—About 20.

3299. Old Moore's Almanack you publish, amongst the rest, I think ?—Yes.

3300. And do you still continue your prophecies in Old Moore ?—No.

3301. With respect to Stationers' Hall, do you consider that Stationers' Hall carries out the object set out in the statute of George III., that it tends to the greater encouragement of the production of literary works of lasting benefit to the world ?—That is a matter of opinion.

3302. I ask you your own opinion ?—It is a subject I have not considered.

3303. You have not considered whether your own Stationers' Hall has that effect ?—The Company perform all the duties cast upon it, I believe.

3304. Is there an index or register kept at Stationers' Hall?—There are four different registers kept there.

The deputation withdrew.

The following gentlemen attended as a deputation from the Apothecaries' Society:—

Mr. J. Saner, Master, and
Mr. J. R. Upton, Clerk.

3305. (*Chairman to Mr. Saner.*) You represent the Society of Apothecaries, I understand?—Yes.

3306. You have sent us a statement upon which you are prepared to answer any questions, I suppose?—Certainly.

3307. That is the object of your coming here today, I presume?—Certainly.

3308. No one, I see, can be a member of your society who is not an apothecary?—No.

3309. And under the powers of your first Act of Parliament you have become one of the licensing bodies examining persons qualified to become apothecaries?—Yes.

3310. That is under the Act of 1815?—Yes.

3311. Was that your first Act?—That was our first Act.

3312. Then you have occupied yourselves a good deal in securing to the public the use of unadulterated drugs, I understand?—Very largely.

3313. You say that you have done that by means of a body created out of yourselves and allowed to use your name but placed under your control; what body is that?—The body is defunct now. A certain number of our members were allowed to subscribe and form themselves into a body to carry on the trade. It was what they called the United stock, and they carried on the trade until within about three years ago, when, in consequence of a change of business, the trade failed in a measure, and it was all wound up; now the society carry it on on their own account at the present time.

3314. Then what is your connexion with Apothecaries' Hall?—That is the place where we transact all our business affairs entirely. The trade and the court of assistants all meet there.

3315. I see also you state that you were the first of the medical bodies to institute an examination in classics, mathematics, and science to test the liberal education of candidates seeking to become medical men?—Yes, we first instituted that examination ourselves, but now it is very largely followed by all the medical bodies.

3316. You obtained an amendment of your Act of 1815 some years ago?—Yes, in 1874, in order that we could elect a better class of examiners by opening it to all physicians and surgeons as well as to our own body.

3317. And you have founded scholarships in medicine and surgery?—Yes.

3318. And also appointed a lecturer on botany?—Yes.

3319. Then, putting it generally, your contention is that your society have active duties to perform, and are actually performing them to the general satisfaction of the public?—Quite so. I do not know anything that is left undone under our charter or those two Acts of Parliament. I believe every point is rigidly carried out to the letter, and more than that, we have endeavoured to improve in every way to suit the requirements of the times in which we live.

3320. Are you still the possessors of the Botanic Garden at Chelsea?—Yes, we cannot part with it. We have 5*l.* a year to pay to Lord Cadogan to keep hold of it, that is all.

3321. You are bound to maintain it for its present purpose?—Yes.

3322. (*Mr. Firth.*) The Company is now trading in drugs, I understand?—Yes.

3323. Then you are a trading Company?—Yes, we are a trading Company.

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3324. I understood you to say that no one could become a member of your Company unless he was an apothecary, was that so?—That is so.

3325. Then have not you admission by patrimony?—Yes, but the person admitted by patrimony is an apothecary also.

(*Mr. Upton.*) There are two instances to the contrary. Persons could be admitted, but as a rule the Company have admitted nobody but apothecaries with two exceptions.

3326. (*To Mr. Saner.*) You laid down the law or rule, as I understand it, stringently that they must be apothecaries?—Yes, we do so.

3327. According to your charter?—Yes, that is so. We have only two exceptions where they are not apothecaries.

3328. Is your charter different in that respect from that of any other company, so far as you know?—So far as I know it is.

3329. And I notice that you expend on the Chelsea garden 525*l.* out of an income of 2,414*l.* Is anything else spent in the direction of the trade in anyway?—We have a curator who receives 100*l.* a year.

3330. That is included in the 2,414*l.*?—Yes. I was explaining how we spent so much. It is keeping the gardens up altogether. The curator has 100*l.* a year, and so on.

3331. But the rest is spent in keeping the Company up, I think, so far as I see. Do you consider your right of search still existing?—Well, I suppose it still exists, but we do not use it, because the apothecaries' shops have so altered.

3332. But you did use it down to the present generation?—Yes.

3333. (*Mr. Alderman Cotton.*) You were originally united with the Barbers' Company, were you not?—The Grocers'.

3334. And they took over the bulk of the properties I think, when you separated from them, you almost had to begin again?—(*Mr. Upton.*) Yes, they were the original Company, and we were dissociated from them.

3335. You are a great public benefit, I believe?—(*Mr. Saner.*) We consider that we have done a great deal of good since 1815.

3336. (*Chairman.*) In any case there is no mistake about the fact that you do perform certain functions entrusted to you by Act of Parliament?—Certainly we do a great many.

3337. (*Mr. Pell.*) I see you continue the system of apprenticeship?—Yes, but, unfortunately, we have very few apprentices come up now, the times are so altered now that very few apprentices come to us.

3338. How many have you apprenticed within the last three years?—Well, I suppose not more than eight or ten.

3339. Who are those lads apprenticed to?—To general practitioners always.

3340. Are they supposed to require any knowledge beyond that of mixing drugs and compounding drugs?—Yes, now they do particularly. Formerly their particular occupation was mixing drugs, because the general practitioners compounded and sent out their own medicines instead of giving prescriptions, but now they do not do that so much.

3341. This is one form of medical education?—Yes.

3342. Is there any advantage in that over the education which a medical man might derive without apprenticeship?—No, I think not. Of course he is only apprenticed really for the purpose of becoming a member of the Company, he is not apprenticed for the purpose of becoming a medical man.

3343. But supposing he was apprenticed to a medical man and he afterwards abandoned that particular line of life, would he then become a member of your Company, or could he be admitted?—The question would arise whether he could claim by patrimony?—

3344. He would have to fall back upon patrimony?—Yes. We took advice some little time ago as to

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whether anybody could claim admission who was not actually an apothecary.

3345. (*Mr. Alderman Cotton.*) I believe you are celebrated for the sale of genuine drugs?—That has been our pride all along.

3346. And you supply a very large number now?—Yes, to hospitals and dispensaries.

3347. You are really most useful in your generation?—That is so; we have prided ourselves upon that all along.

The deputation withdrew.

Deputation from Needlemakers' Company.

The following gentlemen attended as a deputation from the Needlemakers' Company:—

Dr. Ramsay, and
Major Charles Harding.

3348. (*Chairman to Dr. Ramsay.*) You attend here as representing the Needlemakers' Company, I understand?—We do.

3349. I have been told that your object in coming to give evidence here is to contradict certain statements which have been made in the evidence which has been put before us?—Just so.

3350. Will you tell me what are the statements to which you refer?—(*Major Harding.*) Those in regard to the Company having been resuscitated for the purpose of advocating particular political views.

3351. It is the fact, is it not, that it was in a very moribund condition and that it has lately been revived by a considerable addition of members?—I may explain that the circumstances were these. Some of us had it in contemplation to join a City company when the opportunity offered, and we heard of this Company, which we joined simply with a view to being members of a City company. Opportunities presented themselves for inducing a number of our friends to join, but without any notion of political views whatever.

3352. You simply wished to belong to a City company and you selected this one as one that might be revived?—Yes, at a moderate cost.

3353. Is there anything else that you wish to put before us?—(*Dr. Ramsay.*) I think I may as well inform your Lordship, and the other members of the Commission, that we had no object in view in reference to obtaining political votes by reason of resuscitating this Company.

3354. As a matter of fact, the Company was on the point of dissolution, was it not, when this effort was made to revive it?—It was on the point of dissolution.

3355. It was a question whether the property should be divided?—Decidedly.

3356. (*Mr. Pell.*) I see in the return under the head of technical education that your Company promised 250*l.* in five instalments to the City and Guilds of London Technical Institute; have they not been asked to pay that?—We have paid the instalments every year.

3357. You promised a subscription?—As soon as ever we were formed we set about to see whether we could advance the interests of technical education in any way from the very first time of our re-constructing the Company; and we found that at Redditch in Worcestershire the needle making had concentrated itself there, and we set about to see if we could advance it, and offered prizes and various inducements. At first we thought it would be a good thing; however, the jealousies among the masters of the trade were such that we were advised not to try it again, otherwise we contemplated giving prizes for a series of years.

(*Major Harding.*) Anyhow the whole sum has been contributed up to the present time. The Company had no funds, and we subscribed funds to put the Company into a state of prosperity.

3358. (*Mr. Firth.*) There were no funds you say at the time it was resuscitated?—(*Dr. Ramsay.*) Scarcely any.

3359. Therefore there would not have been any funds to divide in case it had come to an end?—Yes, there would have been. There were some funds to divide, but not of any great amount.

3360. How many members were there at this time?—A good many members.

3361. At the time that it was resuscitated?—(*Major Harding.*) I should think about 20 or 30.

3362. Can you tell me without difficulty what your object was in resuscitating this Company?—I had no object myself, being one of the first to enter that Company, to resuscitate it at all. I was only too desirous, for my own part, to join a City company, and I happened to mention incidentally my desire to an amiable friend who would have been with me to-day but for some misfortune in not sending him due notice. In fact, I spoke to him about it and he thought that he would like also to be associated with a company, and I was recommended to join the Tin Plate Workers' Company, but subsequently I was told of the Needlemakers' Company. The mere ambition to be a member of a City company because one's interest lay generally in the City was the motive which animated me, and we found among many of our friends a desire to join us in membership.

3363. But what advantage did you propose to yourselves?—I do not see what advantage we have got out of it, or are likely to get out of it, excepting the ordinary pleasurable idea of being associated with a City company.

3364. Did you make application to the court of aldermen to have the livery increased?—Yes.

3365. In what form was that power given? Did the court issue an order increasing your livery?—Yes.

3366. Did you appear before them?—Certainly.

3367. By petition?—(*Dr. Ramsay.*) In the usual manner.

3368. The court of aldermen have a control over these companies, then, according to your experience?—Yes.

3369. Were you aware that this Company, when you joined it in this way, was governed by charters controlling the trade, and was subject to the government of the city by charters?—(*Major Harding.*) Yes.

3370. Were you aware that it was bound to instruct and examine people in this trade?—(*Dr. Ramsay.*) Quite so.

3371. Did you not consider that you had any liability in that direction at the time that you joined?—We were quite aware of that.

(*Major Harding.*) We had, but the question was as to exercising it. Of course, the question of exercising rights is a thing to be advised upon.

3372. Did you know that apprentices to this Company had to be tested?—Certainly, we knew the terms of the charter.

3373. As a matter of fact, as an incident to your membership, you have a vote for the City, have you not?—That is an incident, but it need not be an incident, because votes are regulated, in the case of most of us, by actual rates and rents, and so on.

3374. Is there any other advantage, but that incident to membership, in the Needlemakers' Company?—I should think not, not to any of the members that constitute that Company, certainly not to the new ones, and I do not think there can be any to the old ones.

3375. (*Mr. Alderman Cotton.*) You answered the learned commissioner just now to the effect that the court of aldermen had a control over the City companies. Beyond allowing you to increase the members of your livery they have no other control over you, have they?—(*Dr. Ramsay.*) Certainly not.

3376. Then you answered the question correctly when you answered it in that way?—(*Major Harding.*) I thought so.

3377. The Commission will understand thoroughly that they have no control over you except the right to increase your members?—(*Dr. Ramsay.*) None whatever. We were informed that it was necessary

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if we wished to increase the number of our members that we should make an application to the court of aldermen. We did so on the usual form, and they gave us that increase. I believe some observation was made that we were manufacturing faggot votes. We repudiated that at once, because we had no intention of manufacturing any votes at all, but of advancing the interests of our Company which we resuscitated.

3378. In your efforts to promote technical education in the interests of your own trade you signally failed ?—We failed, inasmuch as we found the jealousies amongst the manufacturing needlemakers of Redditch in Worcestershire were such that we were advised to postpone any further offer of prizes for a year or two until we saw how it got on.

The deputation withdrew.

Mr. C. H. Compton attended as a deputation from the Horners' Company.

3379. (*Chairman.*) You come here as the representative of the Horners' Company, I understand ?—I do.

3380. We understand that that Company has been reconstructed to a considerable extent, is that not so ?—I should hardly say that. It is on exactly its old footing, except that up to the last year or so it had a very small income, arising from the rent of the old warehouses in Whitechapel and a small sum in the funds. The warehouses were taken by the Metropolitan Board of Works for the purpose of erecting artizans' dwellings, and the investment of the purchase money in Consols (the money being now in the Court of Chancery waiting a permanent investment) has given us an additional income. On the faith of that we wished to do something for the promotion of the horners' industry, and, with the permission of the Lord Mayor, we held the exhibition last autumn. This occurred after the report was made, which we sent in to the Commissioners, and we wish to supplement it by the result of that exhibition.

3381. I understand that that exhibition attracted a good deal of notice, and was visited by some 7,000 persons ?—It was.

3382. Is there any other matter that you wish to put before us ?—No, I do not know that there is, excepting one thing, if I may travel out of the statement which I have submitted. Some point was made, I think, when Mr. Hare was examined, as to the difference between the nature of the properties owned by companies and those owned by private individuals. I wish to state that when the Metropolitan Board of Works paid the purchase money into the Court of Chancery to the account of the Board under their special Act, they paid it in to an account entitled "Ex parte the "Metropolitan Board of Works. In the matter of "the Artizans' and Labourers' Dwellings Improvement Act, 1875, the vendors, the Worshipful Company of Horners being trustees for charitable "purposes," and there being no trust when we applied for the investment, exception was taken on the part of the Company to the words in the account "trustees for charitable purposes." The point was argued before Vice-Chancellor Hall, and the order was that the purchase money should be invested to an account to be entitled, "The account of the Master, "Wardens, Assistants, and Fellowship of the Mistery "of Horners of the City of London." That was after argument before the Vice-Chancellor. The property itself had been vested in the Company for a term of 1,000 years, purchased in 1605, and held by trustees for the Company prior to incorporation. Although the Company dates as far back as the reign of Edward III., they did not get a charter of incorporation till the reign of Charles I.

3383. (*Mr. Firth.*) Do I understand that before 1846 this Company had no livery at all ?—No, it had not.

Deputation from Horners' Company.

3384. For what purpose is a livery required for a Company whose income is under 100*l*. a year; can you tell me that ?—I was not a member of the Company at that time, but I believe it was to place themselves on a proper footing with the other Companies of London.

3385. But by that they obtained a vote for the Lord Mayor and members of Parliament ?—Yes, they did.

3386. For what purpose does this Company now continue to exist, do you say ?—They exist, I consider, because they do exist; but working on the lines of the trade not being extinguished there is scope for the small funds that we have in hand to stimulate the trade, and that has been shown very remarkably in what has been done.

3387. I see your total income is under 100*l*. a year ?—Yes, it is true, but with the few accumulations we had, and which enabled us to have that exhibition; we brought the trade together.

3388. These three gentlemen that were admitted to your Company in 1876, 1878 and 1879 appear to have gone completely through from freedom and livery right on to the court at once; is that so ?—That would be so, because the court was not full; it was by steps, not all at one meeting. The reason of that was that the minimum of the court was not then made up.

3389. (*Sir Richard Cross.*) Where do you meet ?—When we hold a court we have been in the habit of meeting the last few years at the Guildhall Tavern. We have not a hall.

3390. (*Mr. Alderman Cotton.*) Do you think you have been beneficial to your trade since you started ?—I think the effect of the exhibition which we had last year was certainly beneficial.

3391. (*Mr. Burt.*) May I ask you what you do with the income you have ?—Up to this present time the income has been so small that with the usual annual meeting there has not been any surplus to speak of, but what there was was accumulated. We had 200*l*. in hand, which we applied to the purposes of the exhibition last autumn.

The deputation withdrew.

Adjourned *sine die.*

Ironmongers' Company.

SUPPLEMENTARY STATEMENT ON BEHALF OF THE IRONMONGERS' COMPANY.

Presented to the Royal Commissioners appointed to inquire into the City of London Livery Companies.

The Ironmongers' Company, having carefully read the statements to the Commissioners, do not consider it necessary in any way to refute the theories propounded in those statements with respect to the duties of the Livery Companies, but desire merely to put the Commissioners in possession of certain facts with a view to correct mis-statements which have been published. It is quite clear from the records in the possession of the Company, that their Mystery was established as a guild upwards of 100 years, at least, before incorporation by charter in 1463.

These guilds had their origin in Anglo-Saxon times, and were communities of persons associated together for purposes of mutual fellowship, protection, and support, called into existence by the exigencies of those times; and naturally those having a common trade made common cause, and were attached to each other by common interests. There is no record of funds or land coming to them from any source external to their own body. Their property has all been acquired by contribution or bequest of members.

In 1457 they, out of their own private funds, subscribed money for the purchase of land and a hall for the meeting of the members.

In the 3rd Edward IV. (1463), all the freemen of the Mystery and Art of Ironmongers were incorporated by Royal Charter in general terms, without special duties of any kind being imposed, as appears from the charter set out in Return, part 1, B.; and neither by this charter, nor by any subsequent charter, is there directly or indirectly any declaration of a trust.

Lands and funds have from time to time been left to the Company by members of their body and others, subject to certain express charitable trusts, and these the Company have faithfully discharged to the present time; and in many cases in which these funds have been exacted by the Crown, they have been replaced by subsequent contributions of the livery from their individual private funds, so that the objects of the trusts should not suffer; and this Company respectfully, but firmly, protests that no one outside their own body has either legal or moral right to participate in any property other than that which is actually impressed by the donor with a trust, and the whole of which is administered under the supervision of the Charity Commissioners.

Questions 728, 827–9.

It has been contended before you, that the whole of the charters are bad, because the King had (according to the witness's construction of the 16th section of Magna Charta) parted with his right to grant charters conferring the right of search. Assuming, however, this construction to be correct, the contention falls to the ground in the case of this Company, as no such right is directly or indirectly conferred by any of the charters; and the records of the Company show that statutory legislation for the protection and regulation of the iron trade was enacted in the reigns of Henry IV., Richard III., Henry VIII., and Edward VI., and that on certain occasions this Company have laid abuses of the trade before the Common Council, that they might deal therewith, this Company not having the power in itself.

Amongst its own commonalty only, this Company exercised supervision and control of trading, but, as none of the trade joined the Company other than of their own free will and for their own good, obedience to such control can only be regarded as voluntary, and not as infringing the liberty of the subject, contrary to the provisions of Magna Charta.

Question 39.

It has been suggested that "the connection of the " Companies with the arts, crafts, and trades which, " *according to the terms of their constitution*, they are " designed to comprehend, should be restored." In reply, it may be stated that not one of the several charters and confirmations by which the Ironmongers' Company is constituted designate any craft or trade. Whatever connection this Company may have had with the trade was outside its constitution.

Questions 74 *and* 1324.

More than one witness states that in many, or nearly all the old, charters, the Companies were endowed with power to hold land, contrary to the statute of mortmain, for the benefit of the poor. So far as the Ironmongers' Company are concerned, this statement has no foundation; the license is granted in every case without condition of any kind.

Question 106.

The bequest of money for a dinner, as alleged in this question, is erroneous. There has been no such bequest.

Question 674.

The statement in the reply to this question, viz., "you have raised the fees of admission to a price which no artizan can pay," is not correct, as any boy of 14 may be bound apprentice for a nominal fee of 1*l.* 7*s.* 0*d.*, who, when he has served his apprenticeship, may be admitted on the payment of 3*l.* 5*s.* 0*d.* for fees and stamp duty.

Question 863.

This Company is entirely independent of any control by the City (if thereby is meant the Corporation) or by the Crown, other than as subjects of the Throne; in fact, notwithstanding a servitude of seven years is required by the Corporation, they have, in the interest of those desirous of being admitted to their freedom by apprenticeship, made it optional with the apprentice to serve for five years only.

Question 1351.

There is no known instance in the records of the Ironmongers' Company of anyone being compelled to join the guild. It has always been a voluntary act, and the statements made by the witness in this and the following answers are not founded on fact so far as concerns this Company.

Questions 865–74 *and* 1412–23.

The right of electing the chief officers and of making ordinances for the good government of the City was *claimed* by the livery companies in the reign of Edward III., and *obtained* by them actually in contravention of an order made in the 20th year of that reign, by which that right was restricted to the representatives of the wards; thus showing that they acted in furtherance of their private interests, independently of and not as subject to the Corporation, as alleged by Mr. Beale; not as discharging a public function conferred on them, but as exacting a voice in the election of their officers for their own protection. In 17 Richard II. (1384) these rights were withdrawn, and the previous practice of choosing the common council by the wards, instead of the mysteries, was reverted to.

Questions 1445–6.

In the Ironmongers' Company the rule is, that no freeman is allowed to change the copy of his freedom, but chiefly (*i.e.*, solely) hold of his fellowship.

Questions 1423–4.

It has from time immemorial been the custom of the Ironmongers' Company to admit to the freedom by patrimony, and for many centuries to admit by redemption; the assumption, therefore, is strongly against the witness's statement, that at the time of the grant of the charter there was not any member who was not a member of the trade.

IRISH ESTATES.

Ironmongers' Company.

STATEMENT BY THE IRONMONGERS' COMPANY,

On evidence given on the 12*th July* 1882, *before the City of London Livery Companies Commission concerning the Irish Estates of the Livery Companies.*

The statement made by the deputation that the Irish Estates were granted to the Companies subject to public trusts is not true.

In the beginning of the reign of James I. a considerable part of Ulster had become vested in the Crown by Act of Attainder consequent on the rebellion in the previous reign. The country being then in a most disturbed condition, a project was set on foot in 1608 for planting and establishing a Protestant colony in the North of Ireland. Certain conditions (viz., those set out in the appendix to Dr. Todd's evidence) were issued by the Privy Council, in accordance with which His Majesty's subjects were invited to undertake the project. Though many private individuals offered to become undertakers, the Crown, in view of the magnitude of the Scheme, deemed it advisable, in July 1609, to offer the undertaking to the City of London on the same conditions. This offer was declined.

In August 1609, a committee was appointed by the City to conduct negotiations which had been re-opened by the Privy Council, and which resulted in the City undertaking the Plantation on articles of agreement entered into with the Privy Council on the 28th January 1609 (O.S.), and set out in the Schedule hereto. It is these articles, and the charter subsequently granted by James I. on 29th March 1613, which may be said to "form the limits and bases of the title by which the "Companies hold their Irish Estates," and *not* "the "articles concerning the English and Scotch under-"takers" as set out by Dr. Todd.

The Committee recommended that a company be constituted in London, and that the undertaking should be managed in Ireland by direction from the Company in London. On 30th January 1610, the Common Council ordained, in accordance with such recommendation, that a Company be instituted in London in order to carry out the Plantation; and on the 29th March 1613 this Company was incorporated by charter under the name of "The Irish Society"; therefore the fact of the Society being "a corporate body and non-resident" cannot now be alleged as a reason for State interference.

The sums required for the Plantation were raised "by way of companies of the City and in companies by "the poll."

The Court of the Ironmongers' Company ordered each member "to pay his proportion, and further "ordered that the proportions of those unable to pay "should be taken up at interest, and the Company to "bear the same." There is no evidence that money was raised from any but members of such of the Companies as joined in the undertaking, and the money so raised was paid, not to the Crown, but to the Chamberlain of the City, for the purposes of the Plantation.

In July 1611, on the occasion of a further levy by the City of a sum of 10,000*l.* for carrying on the Plantation, notice was given that if the money should not be paid the defaulting Companies would forfeit their claim to the amount already disbursed towards the said plantations.

The Coopers' Company, one of the Companies associated with the Ironmongers' Company in the undertaking, being unable to pay their contribution, the Corporation directed the Chamberlain to pay it: and it was declared that "the City is to receive all the *benefit* "and *profit* as well already due as hereafter shall grow "due to the said ("Coopers'") Company by the said "Plantation of Ireland."

On 13th September 1615, a license in mortmain was granted by James I. to the 12 Companies respecting their Irish Estates, wherein one of the reasons for granting such license is "*that the Companies may in future reap* "*some gain and benefit of their great travails and expenses* "*taken and bestowed thereon.*"

The Manor of Lizard was created by the Irish Society on 15th October 1618, and a conveyance of this manor to the Ironmongers' Company from the Society was executed on the 7th November 1618.

By this deed the Society did "fully, clearly, and "absolutely grant" the Manor of Lizard, and all the rents, advowsons, tithes, and all other profits whatsoever, except timber, &c., at the yearly rent of 11*l.* 6*s.* 8*d.*, to the Ironmongers' Company, their successors and assigns for ever, to the only use and behoof of the said Company.

In 1630 Paul Canning, who was then a member of the Ironmongers' Company, and their agent in Ireland, sold his estate in England for 2,000*l.*, and spent it in planting and stocking the Company's estate, and also at his own charge built a church.

The charter to the Irish Society granted by James I. was revoked in the reign of Charles I. by decree of the Star Chamber in Hilary Term, 1638, and all the estates were escheated to the Crown; but in 1641, on the petition of the Corporation, Parliament, upon mature consideration, resolved that "the sentence in the Star "Chamber was unlawful and unjust, and that the "citizens of London, and those of the new Plantation, "and all under-tenants, and all those put out of pos-"session, should be restored to the same estate in "which they were before." In this petition it is set forth that 150,000*l.* had been expended on the Plantation by the Irish Society and the Companies in addition to any outlay by the tenants.

In 1656 the Lord Protector, by letters patent, restored and confirmed the Irish Society as originally ordained under the charter of James I.; and in 1662, 14th Charles II., letters patent were issued, containing, with but little alteration, all the clauses of the charter of James I.; and the renewed grant from the Society to the Ironmongers' Company of the Manor of Lizard, dated 13th May 1663, recites, that "the King takes "into consideration the *vast sums of money* the Society "and the several Companies of London had laid out "and disbursed in their building and planting."

The Manor of Lizard, as originally created, contained 38,470 acres (English), and the estate was apportioned by the undertakers as follows:—

	Acres.
Church lands and glebe - - -	12,403
Freeholds at quit-rents - - -	13,742
Retained by the Company - - -	12,325

In 1842 the Company's estate contained 12,686 acres, then valued, by the well-known valuators Messrs. Nolan, at 5,610*l.* per annum, and let at 5,509*l.*, chiefly on yearly tenancies to the tenants actually in occupation at the expiration of the last lease which had been granted by the Company on lives.

In 1860 the estate comprised 12,735 acres, and was again valued by Messrs. Nolan at 7,055*l.*, and in 1863 the annual rent was fixed at 6,718*l.*

The present annual rental of the estate is 7,100*l.* There are now only four leases on the estate, the tenants preferring yearly holdings, of which there are 541 (*see* Original Return A., 2, 9, question 5, page 45). The population at the last census numbered 1,583 males and 1,808 females; total 3,391.

In 1764, in consequence of a report to the Company of the harshness with which the tithe was exacted from the tenants, the Company redeemed it for 1,115*l.* and extinguished it solely in the tenants' interest.

The tenants for many years were supplied by the Company with lime at a nominal price, and with timber, slates, roofing and draining tiles, also with large quantities of quick for fences, and young trees for shelter, besides grants of money for iron gates and pumps; and the Company make a considerable outlay on the construction and upkeep of roads, bridges, and fences, altogether averaging upwards of 625*l.* a year, in addition to an annual expenditure of 400*l.* on schools, churches, charities, exhibitions, and clergy of various denominations. The Company also subscribed 200*l.* towards the preliminary expenses of the Derry Central Railway, and guarantee 5*l.* per cent. interest on 5,000*l.* of the stock for 23 years if necessary, and are now paying it, and they gave the land required for the railway without charge, and this amounted to 40 acres.

The Memorial to the Rt. Hon. W. E. Gladstone, dated 18th March 1881, and purporting to be signed by George Williamson on behalf of the Ironmongers'

Ironmongers' Company.

tenantry, has been read to the principal tenants by the agent, and they say they none of them ever heard of the Memorial, also that the statements therein are untrue so far as concerns the Company's tenantry, and that George Williamson was not to their knowledge authorised to represent the tenantry. One of the tenants, the Rev. Mr. McCay, who has been examined before the Commissioners, denies any knowledge of the Memorial.

As to the statements in the Memorial, it is not the fact that the under-tenants held from the middlemen from year to year; they held on lease from the middlemen for 41 years or three lives; the last lease commenced in 1798 for the Bishop of Meath's life, who died in 1840. Since then the tenants have virtually held from valuation to valuation at intervals of upwards of 21 years, and in effect such a holding as a tenancy at will is not known on the estate.

It has been previously shown what is the rental of the estate since it came into hand in 1840; and to enable the Commission to form an opinion as to the fairness of such rents, it may be stated that Griffiths' valuation in 1852 was based on the average of produce as shown in Table I.; and the actual prices realised in Belfast market for 31 years, 1850-1880, average as in Table II.

TABLE I.—GRIFFITHS.

Wheat.	Oats.	Flax.	Pork.	Butter.	Beef.	Mutton.
7/6	4/10	6/11½	32/-	/7	35/6	41/-

TABLE II.—1850-1880.

10/10¾	7/7½	9/11½	43/2	1/-	64/2	68/6

In 1703 the best beef fetched *3s. 6d.* per 120 lbs. in Dublin market, and in 1725 had risen to 16*s.* per cwt.

No increase of rent has occurred on this estate for 22 years, and the present rental is more than 6*l.* per cent. below Griffiths' valuation; it is therefore evident that the tenants have reaped the full benefit of the increased market value of produce.

When the estate came into hand in 1840 there was no tenant-right existing; but in 1860 the Company established a tenant-right equivalent to 10 years' purchase of the rent, and yet within the last year tenant-right has realised from 18 to 50 years' purchase.

SCHEDULE.

Articles agreed upon the xxviii. daie of Januarie betweene the Right hon^{ble} the Lords of his Ma^{ties} most hon^{ble} Privie Councell, on the Kings Ma^{ties} behalf, on the one pte, and the Committees appointed by act of Comon Councell, on behalf of the Maior and Comunaltie of the cittie of London, on the other pte, concerning the plantacon in pte of the Province of Ulster.

1. Imprimis, it is agreed that xx^{tie} thousand pounds shall be levied, 15,000^{li} to be expended on the said plantacon, and 5,000^{li} for the clearing away of private men's interest in things demanded.
2. Agreed that at the Derry 200 houses shall be built and room left for 300 more, and that 4,000 acres lying in the Derry side shall be laid thereunto; bogg and barren mountains to be no parcel thereof, but to go as waste for the cittie.
3. The Bisshoppe and Deane of y^{e} Derrie shall haue conuenient plotts of ground for their states of their houses at the Derry.
4. Agreed that Colraine shallbe built on the very same ground of the abby side, that 100 houses shall be built and room left for 200 more, and 3,000 acres of land shall be laid.
5. Agreed that measure and account of land shall be after the Balliboes.
6. Agreed that the rest of the territory and entire countie of Colraine, estimated at 20,000 acres, be cleared from all pticular interest except the Bishop and Dsane of Derry, and except certain porcons of land to be assigned to three or four Irish gentlemen at the most now dwelling and settled in the countie of Colraine, who are to be freeholders.
7. Item, it is agreed that the woods and grounds of soil of Glancan-Kerne and Killetroughe be wholly to the cittie, and the timber used for the plantacon.
8. Agreed that the lands within the woods of Glan^{e} and Killtroughe, which stand charged as surveyed lands, be undertaken by them in like form as Colraine.
9. Agreed that the cittie shall haue the patronage of all the churches in Derry and Colraine.
10. That the 7,000 acres of land to the cittie of the Derrie and town of Colraine shall be in fee-farme at the rent of liii^{s} iiii^{d}.
11. And to be held of the King in free burgage.
12. The residue of all the lands and woods to be undertaken to be holden of the King in comon socage.
13. The customs of all goods imported to be exported, &c., to be enjoyed by the cittye for 99 yeares within the citty of the Derrie, town and county of Colraine, aad ports and creeks thereof, paying yearly to his Ma^{tie} vi^{s} viii^{d} as an acknowledg^{t}.
14. That salmon and ell fishing of the Ban and Loughfoyie, and all other fishing so far as Loughfoyle floweth, and the Ban to Loughcagh, shall be in perpetuitie to the cittie.
15. The cittie shall haue liberty to transport all prohibited wares growing upon their own lands.
16. The cittie shall haue the office of Admiral in the coasts of Triconell and Colraine, and all royalties belonging thereto; and if their shippes and goods be wrecked at the sea in Ballesman or Olderflute, and in all other coasts, &c,, alongst and betweene saved and reserved to themselves.
17. That the cittie shall haue like fishing and fowling upon all the coasts as other subjects haue.
18. That no flax, hemp, or yarne unwoven be carried out of the ports of Derrie and Colraine without licence from the cittie officers, and that no hides be transported raw without licence.
19. That the cittie and town of the county of Colraine be freed from all patents of privileges heretofore granted to any pson, and that hereafter no pat of privileges be granted to any pson within the said county, &c., and that they be freed from all taxes and impositions of the Governor of those pts.
20. That the cittie shall have the castel of Colmore and the lands thereunto in fee farme, they maintaining a sufficient ward of officers.
21. The liberties of the cittie of Derrie and Colraine shall extend three miles every way.
22. That the cittie shall have such further liberties to the Derrie and Colraine as upon view of the charters of London, the Cinque Ports, Newcastle-upon-Tyne, or the cittie of Dublin, shall be found fit for those places.
23. That all particular men's interest in and about Derrie and the counties of Colraine &c., be cleared and offered to the cittie (except as is excepted in 6th art.).
24. That sufficient forces shall be maintained by the King for safety of the undertakers for a conuenient tyme.
25. Agreed for settling all things touching the said plantacon, his Ma^{tie} will give his royal assent to Acts of Parliament here and the like in Ireland to passe.
26. The cittie to have time for seven years to make such other reasonable demands as time shall show to be needful.
27. Lastly that the cittie shall w^{t} all speed set forward the plantacon, as that 60 houses be built in Derry, and 40 at Colraine by the 1st of November which shall be in the year of our Lord 1611.

April 1883.

SUPPLEMENTARY STATEMENT BY THE SALTERS' COMPANY.

Salters' Company.

The Salters' Company beg to remark that the first recorded evidence of their existence is dated in 1394, when it was licensed by Richard II., in the joint title of the Guild or Fraternity of Brethren and Sisters of Corpus Christi and the Company of Salters.

This combination of the religious and trading elements, together with other circumstances referred to in their return, render it highly probable that this Company was never exclusively a community of traders. Moreover, it would appear that this, as well as other guilds, could not have existed for the sole purpose of benefiting the particular trades from which they derive their names; for the right of freedom by patrimony has prevailed from time immemorial, and this would necessarily introduce many members who would follow other callings.

Statements have been made which suggest that the funds entrusted to the Companies for charitable uses have been misapplied. So far as the Salters' Company is concerned, it may be stated that suits instituted against the Company, and designed to prove a breach of trust, have failed; and the returns of the Company show that the sums expended on the charitable trusts under the Company's administration have considerably exceeded the amount which has been received from the Trust Estate.

With regard to the income derived from their Corporate Estate, a large proportion has been always devoted to works of benevolence and public utility, to the promotion of education, and the support of aged, poor, and deserving members of their Guild.

The Salters' Company may avail themselves of this occasion to state that, in addition to the educational grants alluded to in their report, they have now brought into practical operation a scheme which for some time past they had in contemplation, having for its object the promotion of the education of the sons and daughters of their own members, by grants of money, varying in each case from 20*l.* to 80*l.* per annum. The advantages offered by this scheme are much appreciated, the freemen and liverymen having readily availed themselves of it.

Statements were made by witnesses who tendered evidence on the twelfth day, that the Companies' estates in Ireland are Trust Estates: that the purchase money was not taken from the funds of the Corporation or of the Companies, and that the tenants have been invariably rack-rented.

In reply it may be stated that the conveyance of the estate to the Companies was absolute and without any covenant of trust: that the Companies at first declined to have any dealing with the property, but were ultimately persuaded, by representations on the part of the Government, that the undertaking would conduce to their profit. That there is no doubt the Companies provided all the money; and so far as regards the Salters' Company (and probably the other Livery Companies), the amount required was raised, partly from their corporate funds, and partly from loans from individual members of the Company.

There is evidence that these loans were in process of repayment from the corporate funds of the Company, several years afterwards. As to the estates being rack-rented, the rents of the Salters' Company have always been, in the aggregate, under the Government valuation. Tenant-right interests are readily saleable; and the witnesses generally admit that the tenants are, on the average, better off under the Companies than under private landlords.

It has also been implied that the Companies have not promoted the interests of their tenants by expenditure of income derived from the estate.

In reply to such suggestions, the Salters' Company beg to place before the Commissioners the following particulars of their expenditure during the last 28 years.

STATEMENT of EXPENDITURE on IMPROVEMENTS, &c., from 1853 to 1881.

	Rural Districts.			Town of Magherafelt.		
	£	s.	d.	£	s.	d.
On School Building and Repairs -	3,220	0	1	2,576	18	4
„ Support of Education - -	5,823	17	3	6,801	8	2
„ Church Buildings, Parsonages, &c. - - - -	2,443	12	9	6,064	17	0
„ Ministers of Religion and Church Sustentation Fund - - -	3,452	13	6	2,315	0	0
„ Main or Arterial Drainage -	4,429	2	5	409	15	1
„ Improvement in the Breed of Cattle - - - -	193	11	3	—		
„ Farm Roads, Pavements, &c. -	5,775	0	2	734	1	9
„ Water and Gas Supplies - -	126	3	6	691	9	9
„ Public Buildings, Repairs, &c. -	—			2,429	19	10
„ Charitable and other Donations	1,096	2	11	2,465	1	9
	£26,560	3	10	24,486	11	8
	Total £51,046	15	6			

The above expenditure is exclusive of any outlay from which the Company derive profit, and the cost of management is not included.

Mr. Andrew Brown, a tenant on the estate, who gave evidence before the Commission, also on the 12th day, complains that an appeal which was made against an advance of 20 per cent. put on a portion of the estate in bad years, was rejected.

This augmented rent was an addition of 20 per cent. on a small section of the Town-park holdings, which had been reduced 10 per cent. in 1855, and not increased when the rentals of the agricultural holdings were raised 10 per cent. in 1866.

The aggregate annual accretion of rent from this source amounted to about 150*l.*, and simply placed all town-parks and agricultural holdings on the same footing.

Mr. Brown adds that a recent appeal for reduction of rent was also rejected.

It is true that the Company declined to adopt a general reduction of their moderate rental, which, for agricultural holdings, is about 10 per cent. below the Government valuation; but they promised to take into consideration individual applications for relief, and to determine them on their respective merits. This decision has been acted on, and in several instances remission of rent has been granted, and pecuniary assistance afforded to needy tenants.

Mr. Brown further says that from 1854 to 1866 "there are many living witnesses to prove that none but the tenants do anything to their farms."

The facts are that a sum of 16,560*l.* 6*s.* 6*d.* was expended on the rural districts, and 12,283*l.* 5*s.* 10*d.* on the town of Magherafelt, in improvements during those 12 years; the money spent in the town being in excess of the entire rent received from the town holdings.

Only a fraction of the above expenditure, viz., 1,500*l.* for mills and milldams, was in any degree remunerative to the Company.

Mr. Brown also affirms that from 1866 to 1882 the agricultural holdings have not in any way been improved by the landlords. The answer to this accusation has been already given in the previous statement, where the cost and character of the improvements effected are enumerated.

EXPENDITURE from 1853 to 1866.

	Rural Districts.			Town of Magherafelt.		
	£	s.	d.	£	s.	d.
On School Buildings - - -	1,533	11	7	2,591	4	9
„ Support of Education - -	1,865	13	6	1,791	19	0
„ Church Buildings, Parsonages, &c. - - - -	2,153	12	9	5,588	14	6
„ Ministers and Church Sustentation Fund - - -	467	10	0	370	0	0
„ Main or Arterial Drainage - -	3,407	2	8	149	1	6
„ Farm Roads, Pavements, &c. -	5,019	1	11	263	14	0
„ Water and Gas Supplies - -	—			239	5	5
„ Public Buildings, Repairs, &c. -	—			483	3	8
„ Charitable and other Donations	613	9	0	867	13	0
„ Mills and Milldams - -	1,500	5	1	—		
	£16,560	6	6	12,283	5	10

These sums are of course included in the previous Statement of Expenditure from 1853 to 1881.

Apothecaries' Society.

The Society of Apothecaries desire to establish before the Commission on the 2nd proximo—

(1.) That, while faithfully adhering to the terms of the Charter granted to them by James I., they have always been a liberal and progressive body, and have acted and been recognised as such.

(2.) That their existence therefore is both an advantage and a necessity.

As to (1). The principal objects of the Charter were (1) to protect the citizens of London, and those residing within a radius of seven miles thereof, from illegal practitioners; and (2) to "prove" the purity of drugs within the same radius.—*See* Returns F. and H., Apothecaries' Company, Part 1, Foundation and Object.

(*a.*) From their foundation up to 1815 the Society performed the duties of examining persons as to their skill as Apothecaries within the restricted radius, and the persons whose skill was so ascertained necessarily became members of the Society. While after 1815 and up to the present time (with about two exceptions) no one is a member of the Society who is not an Apothecary, the Society has from that date, under the powers of their first Act of Parliament, become one of the great licensing bodies of this country, examining persons qualified to become Apothecaries throughout England and Wales, and having at the present time a body of licentiates numbering about 9,000 (though of course the condition of membership of the Society is not attached to the license). The public spirit of the Society in obtaining the Act of 1815, and the good thereby conferred on the community, have always been recognised.

(*b.*) By means of a body created out of themselves, and allowed to use the name but placed under the control of the Society, and recently of themselves, the Society have secured to the public the use of pure and unadulterated drugs; they have (so to speak) fixed the standard of purity in such articles, and "Apothecaries Hall" is always referred to by the medical profession as a place where such standard is strictly maintained.

(*c.*) When their income was even more limited than it is now, and assisted by the private liberality of their then members, the Society leased and maintained the Botanic Garden at Chelsea, which acquired an European reputation, and, by so doing, so excited the admiration of Sir Hans Sloane, the well-known physician, (who was the reversioner of that property,) that he granted it in perpetuity to the Society on condition of their so maintaining it, as they have done, at great expense to themselves, for the benefit not only of medical men but of the community at large.

(*d.*) They were the first of the medical bodies to institute an examination in Arts,—that is, a preliminary classical, mathematical, and scientific examination, to test the liberal education of candidates seeking to become medical men.

(*e.*) In 1874 they obtained an amendment of their Act of 1815, and acquired powers to bring their medical examination up to the highest standard.

During the present year they have, immediately on their income admitting it, founded two scholarships in medicine and surgery of the value of 100*l.* each, and also appointed a demonstrator and lecturer in botany.

(2.) Even if proposed amendments of the Medical Law should take effect, the Society of Apothecaries is and must form part of the medical boards to be established thereunder, as one of the three great licensing bodies of England and Wales, and will have to play their part in reference to the medical education of this country; and of course, if it does not come into operation, the existence of the Society is as essential as ever.

Whether, therefore, as an examining or licensing body, or as a body associated with and accepting practically a responsibility in reference to a standard of purity in the matter of drugs, the existence of the Society is both a necessity and an advantage.

Horners' Company.

STATEMENT of the POINTS to which the DEPUTATION of the HORNERS' COMPANY of London desire to refer on their attendance before the LONDON LIVERY COMPANIES COMMISSION on the 2nd of May 1883.

Referring to Return F., sent in by the Horners' Company to your Commissioners, in which it was stated that the income of the Company had been almost stationary during the last ten years, but, in consequence of the sale of the Company's property, the regular income would be increased by it to the amount of 33*l.* or thereabouts; and to Return M., which states that the small income of the Company had prevented them from doing anything to subsidise or encourage general or technical education, but they were in hopes, as their income increased, that they would be enabled to take steps for encouraging the manufacture of horns; the Company, acting on this desire, held, on the 18th, 19th, and 20th of October 1882, with the permission of the Lord Mayor, an Exhibition of articles, ancient and modern, British and Foreign, made of horn, or of which horn is a component part, at the Mansion House, London. Prizes were offered to exhibitors, being members of the trade. Due notice was given of the Exhibition through the medium of the public papers and the circulation of a prospectus, the result of which was that considerable interest was evinced, not only by the trade, but by private owners of articles both ancient and modern, and a collection of works of art of a very interesting and instructive nature was obtained by great efforts, and the Exhibition attracted so much public interest that, with the permission of the Lord Mayor, it was allowed to continue open for an extra day (Saturday), and during the four days about 7,000 persons visited the rooms.

A printed list of the prizes offered accompanies this Statement.

The whole of the prizes offered to members of the trade were awarded, except the second prize in Class 4, the two prizes in Class 5, and the prize for dark pressed horn in Class 6.

Among the trade exhibitors were Messrs. S. R. Stewart and Co., of Aberdeen, whose comb works are the largest in Europe. They took a very considerable personal interest in the Exhibition, and sent a very large case of varied objects. Mr. David Stewart, a member of that firm, has, in consequence of the Exhibition, joined the Horners' Company, and has been admitted on the livery. He undertook the office of judge, and his firm did not therefore compete for prizes.

Messrs. J. F. Kain and Son, of 1 and 2, Fleur-de-Lys Street, Norton Folgate, London, workers in horn and ivory, took the first prize in Class 1. One of their members has also joined the Company, and has been admitted on the Livery.

Among the exhibitors from private collectors were many articles of high archæological interest; several members of the Society of Antiquaries and other archæological societies having sent articles from their private collections. This portion of the Exhibition excited a great deal of interest, particularly among antiquarians, and so valuable were the articles entrusted to the Company that it was considered advisable to revise the catalogue after the Exhibition had closed, to make a permanent record of the Exhibition. A revised copy of this catalogue accompanies this Statement.

Among the exhibitors, Her Majesty was graciously pleased to send from her Windsor collection a very interesting collection, after the return of which it was resolved by the Court of the Company to apply, through the Secretary of Her Majesty's Privy Purse, to be allowed to present her with a copy of the catalogue and a history of the Company, which has been written by one of the members of the Court, bound in horn, in acknowledgment of Her Majesty's gracious condescension in lending her articles for exhibition; and it was also considered a favourable opportunity of illustrating the applicability of horn for the purposes of book-binding. Her Majesty accepted this proposal, and the Company, in furtherance of their desire to promote technical education, offered a prize for the best design for the purpose to the National Art Training

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School, South Kensington; the result of which has been that a very beautiful design has been chosen from a number of competitors, and is now in the hands of Messrs. S. R. Stewart and Co., to be executed in horn work, and, when completed, it will be presented to Her Majesty.

Owing to the novelty of the Exhibition, and its being entirely of a tentative character, the Company undertook the whole expense, which has prevented them from taking further action this year in promoting the interests of the trade, but the experience which they have had from the result of the Exhibition has satisfied them that much good has been done in stimulating and developing the trade, and that further efforts in the same direction, which they hope to make, will, it is anticipated, be of material and valuable assistance.

MEMORIAL OF SKINNERS' COMPANY.

Skinners' Company.

Skinners' Hall,
30th April 1883.

To the Secretary to the City of London Livery Companies' Commission.

SIR,

IN reply to your letter of the 10th of November last, in which the Commissioners inquire what is the intention of the Skinners' Company with regard to the evidence and statements orally given to the Commissioners, and affecting the Companies, it seems to the Skinners' Company that the return made in 1881 in answer to the Commissioners' queries was rendered so fully that it is not necessary to trouble the Commissioners to hear witnesses on their behalf; but they desire to submit the following observations, which, being mainly directed to controvert statements made by various persons taking an unfavourable view of the constitution, administration, and proprietary rights of the Company, will, the Company trust, receive at the hands of the Commissioners attention and publicity at least equal to what has been accorded to such statements.

The only evidence which appears to affect the Skinners' Company with reference to the trusts committed to their care is contained in the appendix to Mr. Lucraft's evidence on the 13th day, viz., 19th July 1882, in reference to the gift of Margaret Audley.

Mr. Lucraft states that the sum of 700*l.* was given to be spent in land, and the income to be applied to charitable purposes. This is not correct. The Company were at liberty to expend the sum of 700*l.* in land or otherwise as they might choose, no reference being made in the bequest to the application of the income, whether for charitable purposes or otherwise; but it was made a condition of the acceptance of the gift that the sum of 35*l.* was to be paid annually to the parish of Hackney. The Company at first declined the gift, but accepted it on being pressed by the parish of Hackney to do so, and the payment has been annually made by the Company to the parish ever since, as stated in their return—Part I.—Letter I., Charities.

But the attention of the Company has been especially called to the print of evidence given before the Commissioners on the 12th July last, generally with regard to the nature of the title by which the Livery Companies of London became owners of estates in the county of Londonderry, Ireland, in the 17th century, and particulrly with respect to the management by the Skinners' Company of the Pellipar estate in that county, and their recent negociations with the tenantry there.

The important question of ownership, by this and other Livery Companies, of estates in Londonderry has been separately dealt with in the accompanying short historical account of the mode in which those estates were acquired. It entirely disposes of the assertions (1) that the Companies are not private owners, but trustees of the estates for public purposes; and (2) that what has been called the purchase money was raised by a tax on the citizens of London.

The recent negociations with the tenantry are referred to in the minutes of evidence of 12th July last, questions Nos. 1897 to 1905, and the answers given by Dr. Todd, a solicitor of Londonderry.

That witness professed to describe from personal knowledge the mode in which negociations were carried on between the Company and the tenants, with a view to fixing a fair rent, instead of having recourse to the Land Court. His statements are not true, and, if allowed to pass unchallenged, they will probably be commented upon hereafter by speakers and writers to the Company's prejudice.

It may possibly be not out of place to revert to the question of rent as settled between the Skinners' Company and the tenants some few years ago, in order to lead up to an adequate description of these negociations with which Dr. Todd finds so much fault, and for which the Company do not hesitate to claim some credit, both as to the principle underlying such negotiations and the method of carrying them into effect. Without going back to the time when the Pellipar estate, like many others in Ireland, was let on lease and managed by the resident lessee, the Company wish to state that the lease to Mr. Ogilby expired in 1872, and the Company then took steps to manage the estate for themselves. As nearly 30 years had elapsed since the estate was valued, and as no alteration of rent has been made for a much longer period, notwithstanding the rise in all agricultural produce in Ireland, it seemed reasonable, and in accordance with the custom of the country, that a re-valuation should be made. The estate was re-valued, and the Company felt satisfied that the then existing rental might be fairly raised; and having found that great difficulty would arise in settling with the tenants individually, the total number being upwards of a thousand, and because the tenants had always been dealt with as a whole, it was resolved to divide the holdings into three classes, and fix a uniform but classified rate of increase for each class, notifying the increase of rent to each tenant personally by written notice, as being necessary in law, and in order that any tenant who chose might have an opportunity to state any circumstances which should be a reason for not agreeing to the alteration.

Such increase did not take effect until the year 1877. The rental of the estate was then raised from 11,600*l.* to 13,000*l.*, the Government valuation being 13,200*l.* The only special objection made to the increase was by the lessees of a large grazing farm, who eventually brought a claim against the Company, but failed; the farm was shortly afterwards let to another tenant, who came forward, unsolicited, and offered the rent which the previous tenants had declined to pay.

It is well known that the seasons following 1877 were more or less bad, and accompanying these bad seasons the agitation commenced, which eventually affected those parts of Ireland which had been hitherto settled and orderly. It was then that large arrears of rent began to accrue; and the Company allowed abatements of rent in the years 1879 and 1880, as was stated before the Commissioners when Dr. Todd was examined.

In the autumn of the year 1881, after the Land Law (Ireland) Act had been passed, but before any applications to the Land Court under the Act had been heard, several memorials from tenants on the Pellipar estate were forwarded to the Company, praying for large reductions of rent. The Company saw that, under the Act, if they and the tenants individually could arrive at a fair valuation, it might be possible to have all over the estate a rental fixed upon a basis and by a mode having the authority and sanction of a legally constituted court of arbitration.

Accordingly they issued a circular letter to the tenants, suggesting to those who proposed to apply to the Land Court, that, before doing so, they should furnish the Company, through their agent, with the grounds upon which they individually proposed to show that their rent should be altered. The Company felt that there would be very many tenants who would at once see that if they were ultimately obliged to resort to the Land Court their cases would be considered separately there, and that it ought not to prejudice their claims in Court if they made separate applications to their landlords first. The result was that some hundreds of the tenants did individually write letters to the Company, stating reasons in favour of a reduction of rent; and the Company took steps to ascertain the value of each holding, with the view to entering into an agreement with the tenant as provided by the Act. They felt that this course might preserve a good feeling between landlords and tenants, might save expenses,

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and relieve the block in the Commissioners' Court, which, even in the autumn of 1881, threatened to arise, and so assist in giving effect to the intentions of the Legislature. Simultaneously with the issue of this circular letter, some 50 or 60 notices from tenants on one part of the estate were served upon the Company for their cases to be heard in court. This was mainly done at the solicitation of Dr. Todd, who took upon himself to attempt to dissuade the tenants from settling their rents amicably with the Company.

Early in 1882 the Company determined to send over to Ireland a senior member of their governing body and the clerk of the Company, to ascertain, by personal interviews with the tenants who had written letters, whether they would enter into agreements for a judicial rent for fifteen years under the Act, without having recourse to legal proceedings.

These gentlemen, having gone over to Dungiven in March 1882, intimated by messages to such tenants that they would be glad to receive them at the agent's office on certain days. The tenants attended as requested, almost without exception, and were received in a small room in the office at which they were in the habit of attending, and with as little ceremeny as possible. The only persons present who were strangers to them were the two gentlemen from London. The resident agent and the surveyor, who have been more than fifty years on the estate, and against whom no tenant has ever made complaint, were present; and Mr. B. H. Lane, a solicitor well known in the district, who resides at Limavady, and acts as the Company's legal adviser in regard to the estate, was also there on most days. In no case was there any semblance of complaint by a tenant or his neighbours that undue pressure had been put upon him to agree to a rent. The visit was an experiment to carry out the clear intention of the Act of 1881.

On this occasion about 140 tenants were seen, and agreements made with 53; but subsequently in August, that is some weeks after Dr. Todd's evidence had been given in London, and before it had been brought to the knowledge of the Company, the same two gentlemen went again to Ireland to continue the work commenced in March. On this occasion they saw upwards of 200 tenants, and effected agreements with about 125.

It is not true, as stated by Dr. Todd, that the tenant was "not allowed to have solicitor, counsel, friend, "neighbour, or anybody with him" during these negotiations. It is not true that pressure was put upon any tenant to settle. The conversation was, almost without exception, carried on between the tenant and one person representing the Company.

In answer to questions 1903 to 1905, Dr. Todd misrepresents what took place. As a matter of fact, when a tenant expressed his willingness to agree to the proposed rent, he retired from the room where the conversation had taken place into an outer office full of other tenants waiting for admission, and signed the statutory form (as required by the Act) in the presence of a poor-law guardian or minister, sometimes in the office, sometimes in the witness's house.

The foregoing is a fair description of the negotiations. Dr. Todd knew nothing personally of what took place. In making the proposal and in carrying it out, the Company have neither sought to dissuade any tenant from litigation who has served any notice under the Act (but several tenants who had served notices have come in voluntarily and entered into agreements); nor, on the other hand, have they put any pressure upon tenants to agree to the terms which have been suggested after careful consideration of the provisions of the Act. The Company trust that before many months have elapsed the rents of all the agricultural holdings on the estate will be fixed by the mode which has been described, unless tenants are solicited to enter the Land Court in large numbers. There are nearly 1,000 agricultural tenants on the estate. Voluntary agreements are being made as opportunity arises for the agent to confer with the tenants. At the present time about 310 tenants have entered into agreements, and the rents of some 60 others have been recently fixed by the Land Court.

In Part 4, Return A, already submitted by the Company to the Commissioners, under the head of "Explanatory Notes and Remarks," a general statement is made as to what has been expended by the Company for the tenants upon the estate; and it was therefore a matter of some surprise to the Company to find that Dr. Todd said, in answer to question 1894, that the Company had spent in no "single instance a single "sixpence in agricultural improvements, or given the "slightest benefit to their tenantry." They would here repeat that they support and repair, as they believe liberally, all the schools on the estate recognized by the National Board of Education. They have erected and repaired school buildings, and make annual grants towards the salaries of the teachers. They devote, as occasion requires, the money received from the sale of the advowsons on the estate under the Irish Church Act, 1869, towards the purchase of glebes and repairing and maintaining churches, and towards erecting chapels and ministers' houses. They make annual grants to the clergy and ministers of the different religious denominations, and to the medical officers of dispensaries. They subscribe to various charities and societies, and make weekly or other allowances to poor persons connected with the estate who have been left desolate or have become infirm. They construct foot-bridges and main drains. They also contribute frequently towards the repairs of river banks and the making of turf roads, on the basis of contributing half the estimated cost of any such work, the tenants lending horses and doing a portion of the labour under the direction of the surveyor of the estate.

In no case within the Company's knowledge has any tenant left the estate to become an agricultural occupier elsewhere in Ireland. In many cases during the last few years strangers have come from other places to be tenants on the Pellipar estate.

In the return already sent in reference was made to the support given by the Company to recent railway projects. The Company agreed to support these two undertakings (by guaranteeing 5 per cent. interest upon sums of 20,000*l.* in one case, and 5,000*l.* in the other), shortly after they had resolved to raise the rental as already stated, believing that such works would open up those districts which are at present under a disadvantage for carrying farm produce to market, and that in many ways they would tend to the prosperity of the inhabitants, without bringing any pecuniary advantage to the Company.

Before quitting this subject it may be added with reference to the statement made by Sir Thomas McClure, M.P., on the 12th July (on which occasion he assumed that the tenure by the Companies of their estates in Londonderry was impressed with a trust, and gave it as his opinion that the Companies would best fulfil their alleged trusts by selling to their tenants), that when he himself applied to the Skinners' Company to sell their estate to him, the Company received memorials from the tenants then, as well as on other occasions, asking them not to sell. Indeed, there is abundant evidence that the tenants have advantages under the Companies as landlords which a private owner, buying in order to secure a profit-rent, would not allow to his tenants; and this fact should be especially borne in mind when so many hostile statements, frequently untrue, are being made with respect to the management of the estates, while no allusion whatever is made to the Companies' many acts of generosity to the very men who are induced to turn against them.

The petition of March 1881 to Mr. Gladstone, abounding in misstatements (and which the Company would forbear to notice, were it not placed upon the proceedings of the Commission on the introduction of Sir Thomas McClure), is signed by one of the Company's tenants without authority to write on their behalf, and is an unfortunate example of the manner in which it is attempted to misrepresent the facts.

In conclusion, with respect to the contention which some of the witnesses who have appeared before the Commission desire to raise with regard to the position of the Companies as owners of property, viz., that they were created by the Crown for trade purposes, that they held and still hold their corporate property on trust for trade purposes, and that when they ceased to be composed of trade members, and to exercise trade functions, they ceased to be entitled to hold property or to exist, I am desired to state that the Skinners' Company consider that they have already sufficiently met this contention, so far as it affects them, in advance, by the concise history forwarded with their Return to the Commissioners' queries, which was compiled with much care from charters, grants, certified copies of public records, wills, deeds of bequest, and books of the Company, extending over a period of several centuries, and which there has been no attempt to controvert. I am directed, however, to point out to the Commissioners shortly that, as appears from that history, the Skinners' Company was an existing body, owning large property and exercising important func-

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-tions, before the grant of any Royal Charter whatever; that the earliest charter of the Company, that of Edward III., recognised those facts, and simply regulated its position in the commercial polity of that day; that no evidence can be produced which goes to show that at any time the whole or even a majority of the members of the Company were trade members, but that all the evidence proves the contrary; that attempts actually made by "artesan skinners" to establish a connection between the Company and the trade always failed; and that, notwithstanding that the Company has from the very first dealt with its corporate property as its own, absolutely and for all purposes, and the Courts were open to any complainant, the Company has never been adjudged to hold that property for trade purposes or subject to any trust whatever, nor has the Company's control of that property ever been in any manner limited.

While of opinion that the allegations, general and special, which affect them, have been fully met (such allegations appearing to consist mainly of incorrect inferences from incomplete and inaccurate information), the Skinners' Company will be happy to still further elucidate any point upon which the Commissioners may desire additional information.

I have, &c.,
E. HERBERT DRAPER,
Clerk.

A SHORT HISTORICAL ACCOUNT of the Connection of the LIVERY COMPANIES of LONDON with the County of LONDONDERRY, IRELAND, having special reference to the Title of the SKINNERS' COMPANY to the Manor of Pellipar, in the same County.

One of the witnesses who gave evidence before the City of London Livery Companies' Commission in July 1882 professes to show, in paragraphs 1 and 2 of a printed statement handed in by him, the object of the scheme devised on the confiscation of the estates of the Ulster Earls; and after quoting a State Paper issued by the Crown in 1608, intituled "A Collection of such Orders "and Conditions as are to be observed by the Under- "takers upon the distribution and plantation of the "escheated Lands in Ulster," asserts that, "these "Orders and Conditions, popularly known as the "'Articles of Plantation,' together with the various "other public declarations of the King and Privy "Council on the subject of the Plantation, are the "bases and limits of the Title by which the Companies "hold their Irish Estates."

This assertion is entirely incorrect, the fact being that these Articles were issued by the King in reference to the general scheme of planting the whole of the six northern counties, Armagh, Tyrone, Coleraine, Donegal, Fermanagh, and Cavan, and state that "It was thought "convenient to declare to all His Majesty's subjects "the several quantities of the proportions which should "be distributed, the several sorts of Undertakers, "manner of allotments, the estates, the rents, the "tenures, with other articles to be observed, as well "on His Majesty's behalf, as on the behalf of the "Undertakers." They were issued before any proposition was made to the City of London, and were not addressed to the City or Companies by name, nor were they in any way applicable to incorporated bodies or to the work of plantation afterwards undertaken by the City on behalf of the Companies.

The Crown subsequently proposed to the City to undertake the plantation of the county of Derry, and directed to the City a State Paper, intituled, "Motives "and Reasons to induce the City to undertake the "Plantation in the North of Ireland."

This paper did not in any way allude to the before-mentioned Articles of Plantation; but, after stating many matters, as to the products of the country and the mercantile advantages to be gained by the undertaking, and suggesting how easily the towns of Derry and Coleraine might be made almost impregnable, and proposing the allotment of certain quantities of land for commons to those towns, it suggested "That the "whole of the territory and county betwixt them, "above twenty miles in length, might be planted with "such Undertakers as the City of London should think "good for their best profit."

The proposal was at first rejected, but upon the reconsideration of it being pressed by the Crown it was again communicated to the Companies with a request to them "to assemble together a competent number of "the gravest and most substantial men of their several "Companies to consider advisedly of the said project, "every Company to nominate four men apiece of their "several Companies, of best experience, to consider "and set down such reasons, orders, demands, and "other circumstances in writing as is fit to be re- "membered, required, or performed in the under- "taking of so worthy and honourable an action."

The Companies having accordingly reconsidered the proposal, do not, however, appear to have entertained it favourably; but after further correspondence and interviews with the Privy Council a Committee representing the Companies went to view the place of the proposed Plantation. On their return the Committee presented their report, referring (*inter alia*) to "a re- "quest by them made to the Right Honorable Sir "Arthur Chichester Knight, Lord Deputy of Ireland, to "be resolved of certain doubts for the good of the City "if they shall proceed in the intended Plantation, with "his Lordship's answer under his hand to the same."

A further Committee was appointed to consider all circumstances and matters concerning the proposed Plantation, and they reported they had propounded to themselves four general heads under which they had "handled every particular in its proper place [namely],

"1st. What sums of money should be expended.

"2ndly. What land and privileges should be demanded.

"3rdly. What things should be performed.

"4thly. How all should be managed and ruled."

Several further interviews took place between the representatives of the Companies and the Privy Council; and, the terms of the former being acceded to, a formal Agreement was, on the 28th January 1609, entered into between the Crown and such representatives, by which the Companies undertook the proposed Plantation.

This Agreement does not make the slightest allusion to the before-mentioned Articles of Plantation, or motives and reasons, or mention or suggest any trust for any person whatever. On the contrary (after providing for the sites of the towns of Derry and Coleraine and the lands to be laid thereto, and making provision as to woods, churches, and glebes), the whole tenor of it is to secure everything agreed on to the Undertakers in perpetuity for their sole profit. And, to give the greater effect to this, it provides that "they should have seven "years to make such other reasonable demands as time "should shew to be needful, but could not presently be "foreseen."

Between the date of this Agreement and the Charter of 1613 King James the First requested that several small matters stipulated for by the Undertakers might be relinquished to the Crown, and the request was conceded; but, except in the matter of these small concessions, the Agreement remained in full force up to the time of the Charter being granted, and such Agreement formed the sole contract between the Crown and the Companies.

The Agreement having been perfected was read at a Common Council held at the Guildhall on the 30th January 1609, and it was thereupon ordered "That for the "better ordering, directing, and effecting of all things "touching and concerning the said Plantation, and "business thereunto belonging, there should be a Com- "pany constituted and established within the City of "London, which Company should consist of one gover- "nor, one deputy to the governor, and four and twenty "assistants, and that the governor and five of the said "assistants should be aldermen of the City of London, "and Mr. Recorder of the City should likewise be "one of the same assistants, and the deputy and the "rest of the assistants should be commoners of the "same City."

This Company (better known as "the Irish Society" carried on the business of the Plantation, receiving from time to time from the several Companies advances of money for the purpose, until some time in the year 1610, when it was proposed that the lands should be divided amongst the Companies; but the proposition remained in abeyance until December 1613, when it

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was resolved to carry it into effect. To acomplish this it was agreed that all the moneys expended should be divided into 12 portions; that each of the 12 principal Companies should represent one portion, having associated with it so many of the inferior Companies as, according to the sums disbursed by each, would make up one twelfth portion; and that a survey of the lands and hereditaments of the Plantation should be made, and a division thereof effected into 12 like portions, as nearly as circumstances would permit.

Commissioners were sent to survey the Plantation accordingly, and after the lands and premises had been surveyed, a division of the greatest part thereof was made into 12 lots, numbered from 1 to 12. These lots were drawn for by the 12 principal Companies. Lot No. 12 was drawn by the Skinners' Company as chief, having associated with it the Stationers', Whitebakers', and Girdlers' Companies, the sums disbursed by such four Companies making up a full proportion of one-twelfth of the total moneys expended.

The Skinners' Company took possession of this twelfth portion (being as is herein-after mentioned that now known as the Manor of Pellipar), but no formal grant or conveyance was made of it to the Company until after the Charter of King James had been granted.

The residue of the lands and hereditaments, being principally the towns of Derry and Coleraine and the ferries and fisheries, were considered incapable of division, and remained vested in the Irish Society for the benefit of all the subscribing Companies.

On the 29th March 1613, King James the First, by Charter, created the city of Derry and the lands and hereditaments thereby granted, into a county by itself, to be called the county of Londonderry; and for ordering and governing the said county, constituted "The " Society of The Governor and Assistants, London, of " The New Plantation in Ulster, within the realm of " Ireland," and ordained that the Society should at all times be able, and in law capable, to receive and possess lands and hereditaments, and to grant lands and hereditaments by the same name. The Charter then granted the lands and territories by their special description to the Society, "to hold and enjoy the same, with all pro" fits, &c., to the aforesaid Society and their successors, " to the only proper use and behoof of the said Society " and their successors for ever."

The Society so constituted by the Charter was the same body as was created by the City under the name of a Company, and is generally known as the Irish Society, as already mentioned.

To enable the before-mentioned resolution for a division of the lands and hereditaments amongst the Companies to be carried into effect, the King, by Letters Patent dated 30th September 1615, granted the Irish Society and the Companies a license to hold the lands in mortmain, "to the end that the Companies might " be encouraged to proceed and finish the Plantation, " and in future tymes reape some gain and benefit of " their great travailles and expenses taken and bestowed " therein."

On the 11th July 1616 the Irish Society, by deed, created a manor of all the lands, tenements, and hereditaments now held by the Skinners' Company, by the name of the Manor of Pellipar; and by deed dated the 22nd March 1617 the Society granted the said Manor of Pellipar, and all profits arising out of it, to the Skinners' Company, to hold "to the only use and behoof of the " said maister, wardens, and comunaltie of the " misterie of the Skinners of London, their successors " and assigns for ever," and the grant contains a covenant on the part of the Society for quiet enjoyment by the Skinners' Company of the manor, lands, and hereditaments, and receipt of the rents thereof to the Company's own use and uses for ever.

During the troublous times in the reign of King Charles the First, certain proceedings were taken in the Court of Star Chamber for repealing the above Charter or Letters Patent, but it becomes unimportant to relate these in any detail, for two reasons,—first, that by a vote of the House of Commons of October 1641, it was resolved that the sentence in the Star Chamber was unlawful and unjust; and, second, that King Charles the Second, by Charter dated 10th April 1662 (after a recital that King Charles the First had given his directions for the restoration to the Irish Society and the Companies of their lands, &c. originally granted by the Charter or Letters Patent of 1613, but that his Royal intention had not taken effect in consequence of the wars and troubles in Ireland), re-granted to the Irish Society the lands and hereditaments formerly granted by the Charter of 1613.

The Irish Society, following the same course as had been pursued after the Charter of 1613, again executed a conveyance of the Manor of Pellipar to the Skinners' Company, dated 5th June 1663.

The above Charters, Letters Patent, and conveyances, constitute the basis of the Company's title to their Irish estates, and in no one of them is there any allusion or reference whatever to "The Articles of Plantations" or the "motives and reasons" referred to by the witnesses from Ireland who gave evidence before the Commissioners in July 1882.

In the answer to questions numbered from 1824 to 1955 continuously, reference is made to the "Provisions of the Charter," and it is asserted that the Companies' Irish estates are trust estates, and that the moneys expended upon the Plantation were raised by a tax upon the citizens.

With regard to the assertion that the estates are trust estates, the Skinners' Company state with confidence that there is nothing whatever in any of the documents under which the Companies derive their title which could be construed as, either directly or indirectly, creating any trust. Moreover, the documentary evidence already referred to shows that in return for the moneys expended by them, the profits were intended to be derived by the Companies only. It may also be observed that there is no instance known to the Company of the estate of any individual undertaker who took, subject to the articles, being held to be subject to any trust.

With regard to the assertion that the moneys expended on the Plantation were raised by a tax on the citizens, even if it were true, such fact would not in any way create a trust for the tenants on the estate, or militate against the Company's claim to be absolute owners of the estate. The City, however, in a petition presented to the House of Commons in 1641, stated (as is the fact) "that they, the City of London, never " undertook the said Plantation, or, as to the use of the " City, disbursed any money thereabouts, but that " their name was only used for the better transaction " of that business, and only as a means to forward the " Plantation, and raise moneys by and from the several " Companies, which otherwise could never have been " effected."

The money so raised and contributed by the Skinners' Company was temporarily levied from the members of the Company in accordance with a recognised custom, and the books and records of the Company show repayment to members of the several sums advanced by them.

In conclusion, it may be mentioned that several Companies have, at different times, sold their Irish estates, and have (as is well known) been advised by eminent counsel that they were able to give a good title for the purpose. In like manner the Stationers' and Whitebakers' Companies have, within the last few years (as already stated in the Company's Return to the Commissioners), sold their interests in the Pellipar estate to the Skinners' Company, who gave a large consideration for the same, relying upon the fact that such Companies were entitled, for their own use, to a share of the rents and profits of the estate in proportion to their quota of the contributions made by the four Companies at the time of the division in the year 1610.

Skinners' Hall, London,
April, 1883.

Coachmakers' Company.

The Hall, Noble Street, E.C.,
26th January 1883.

SIR,

IN answer to the enquiry contained in your letter of 23rd November ult., whether the Worshipful Company of Coachmakers and Coachharness Makers wish to call any witnesses before Her Majesty's Commissioners before they make their Report, I beg to inform you that I have submitted your letter to the Court of my Company, together with copies of the printed evidence already received by Her Majesty's

Coachmakers' Company.

Commissioners; and as this Company has not, like some other Companies, been pointedly attacked by any of the witnesses, the Court has, subject to the few observations herein-after contained, instructed me to inform you that, so far as they can at present see, they have no intention to produce any witness, but at the same time they are willing to answer in writing any further questions which Her Majesty's Commissioners may think fit to ask, but subject, of course, to the same protest as was annexed to their original returns.

The observations which I am respectfully to submit to the consideration of Her Majesty's Commissioners divide themselves into two heads. 1st. It seems to have been assumed that the Companies hold their "corporate property," as distinguished from their specifically "trust property," upon some trust, expressed or implied, for the benefit of the craft with which the name of the Company is associated, and that such corporate property has been acquired either by will or deed of gift; and, 2ndly, that the members of the various City Companies are disconnected with and have no interest in the craft supposed to be represented by the Company. Now, as to the first point:—on carefully perusing the Charter 29 Charles II., 31st May 1677, there is no single trust, charitable or otherwise, contained therein; the Company only had certain powers conferred on them for regulating the trade, and they never had any property given, devised, or bequeathed to them from the date of their Charter to the present time. In the year 1703 this Company bought of the Scriveners' Company their hall; and, to enable this Company to pay for it, 109 members of the Company (this shows that this Company has not much increased, as it has only about 120 at the present time, and it can scarcely be supposed that all the members contributed) subscribed various sums, amounting in the whole to 2,030*l.* 7*s.* 6*d.*, and a list of the donors is still preserved in the present hall; and in 1843 a further sum of 257*l.* 10*s.* was subscribed by the then members of the Court to refurnish such hall. In the year 1867 the hall and all the old buildings were pulled down, and the present hall was built by the Company, and the surplus land was let for building purposes; but to enable the Company to build the new hall they had to mortgage the whole of the property they had so bought in 1703 for 3,000*l.*, and such mortgage debt is still due, and may be called in at any time. From the above short statement it is clear how the Company acquired their present property; and if it be not corporate property, then it must belong to the representatives of the original donors rather than for public trusts.

As to the 2nd point, namely, that the Companies are now disassociated from their trades.—On careful perusal of the books of this Company I find that the master coachmakers of London have from the date of the Charter to the present time always been a majority or been largely represented on the Court of the Company; and as such Court is recruited from the Livery, it must, I think, be assumed that the majority of the Livery have been connected with the coachmakers trade, or, at any rate, with kindred crafts; and out of a present Livery of 120 members 70 are connected with the trade of which the Company bears the name, and out of a Court of 27 members 19 are master coachbuilders, or otherwise connncted with the trade. and it often happens that the Master and Wardens are all master coachmakers. Indeed, this Company is entirely identified with the trade; and this is proved by the efforts they have made both by exhibitions of carriage and other drawings at their hall, and the Mansion House, and at the Baker Street Bazaar, and for the prizes they have continuously offered, and the support they have continuously given in the case of technical education, and by admitting master coachmakers not only from London but throughout the whole of the United Kingdom. Thus the Company exercises an influence over the whole of the trade (see question 620), and is considered in England and Europe and in the United States as representing the trade; and in all the International Exhibitions of Industry, whether in England or elsewhere, more than one member of the Court has been appointed on the the juries to adjudge the merits of carriages exhibited. It is from the fact of the Company being so intimately and closely connected with the trade that they, unlike many other Companies, have not been compelled to call in extraneous aid, but have been able not only to offer but to award their prizes free of the expense of skilled examiners, and their awards have met with general satisfaction in the trade. Further, as knowing the wants of the trade, this Company has preferred to support technical education in the midst of the workshops, rather than to support the City and Guilds Institution at a distance, where the workmen could not or would not go, as by so doing they were able to teach the workmen how to use their hands in the day, and how to acquire science and theory in evening classes (thus coinciding with Mr. Lucraft's evidence, 13th day).

Although this Company has no charity foundations, yet they do not ignore charity, and support, so far as their means allow them, charities in connection with the trade, and give donations and sometimes pensions to the indigent connected with the trade. They have occasionally extended their charity outside the trade.

In any Report which Her Majesty's Commissioners may make on this Company, my Court hope that the above observations may be carefully considered with the original return sent in by this Company.

I have, &c.,
H. D. Warr, Esq., H. T. Nicholson,
Secretary City of London Clerk.
Livery Companies' Commission,
2, Victoria Street, Westminster.

Barbers' Company.

4, Warnford Court,
Throgmorton Street, E.C.,
8th February 1883.

Sir,

The attention of the Barbers' Company having been called to the statements of Mr. Lucraft before the Livery Companies' Commission respecting Bancks' and Ferbras' Charities (printed evidence 13th day), I am instructed by the Court to make the following remarks, and in so doing to express their surprise that Mr. Lucraft ventured upon making statements respecting their Charities before satisfying himself as to their correctness.

1st.—As to Bancks' Charity.

The Company beg to refer the Commissioners to the Returns of the Mercers' Company, "Part 1, Return 2, Bancks' Charity." From these Returns it will be seen that the statements made by Mr. Lucraft are totally incorrect.

It will further be seen that since the year 1855 the Barbers' Company have received nothing in respect of this Charity. Notwithstanding this, the Barbers' Company continued to distribute to their poor, beef, loaves of bread, and money, until the year 1868, when the balance due to the Company from the Charity amounted to the sum of 66*l.* 19*s.* 9*d.*, at which sum it still remains. The Court anticipate receiving no income from the Mercers' Company from the estate at Holloway until the year 1887 or 1888, when it is hoped that the debt to the Mercers' Company as specified in their Returns will have been extinguished, and that the Barbers' Company will then be in receipt of their 1/7th share of the ground rents (after providing for the fixed payments) amounting to the sum of 40*l.* per annum or thereabouts.

2nd.—As to Robert Ferbras' Will.

It is not the fact that Robert Ferbras devised two freehold houses in Dowgate Hill for the benefit of the poor members of the Company: he devised the houses to the Company upon trust, after doing repairs, to divide one moiety of the surplus receipts among the poor.

It is not the fact that for nearly 400 years the Company applied the income to their own corporate funds: on the contrary, for many years prior to the year 1848 they applied more than the income of the moiety, then about 20*l.* per annum, in payments to quarterly pensioners subsequent to that date. The accounts have been rendered to the Charity Commissioners, to which I beg to refer you.

I am, &c.,
H. D. Warr, Esq., H. Grose Smith.
City of London
Livery Companies' Commission,
2, Victoria Street, S.W.

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